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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
JAN - 6 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 10, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 1:00 PM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for December 6, 2005 and December 13, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051827 **[Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements]**
Supervisor Ammiano
Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

12/13/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 051869 **[Approval of Port Lease with Miller Kelly Architects, Inc. at the Roundhouse One Building located at 1500 Sansome Street]**

Resolution approving Lease between the San Francisco Port Commission and Miller Kelly Architects, Inc., a California corporation, dba MK Think for the lease of the Roundhouse One Building located at 1500 Sansome Street, for a term of ten (10) years and one hundred eighty (180) days with one (1) option to renew for an additional five (5) years.
(Port)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

3. 051745 **[Settlement of Lawsuit - Dazell Mallory]**

Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of $53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 051812 **[Settlement of Lawsuit - Theresa Koenig]**

Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for $190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 051813 **[Settlement of Lawsuit - Tania Tavasieff Foley]**

Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for $75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 051814 **[Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051820 **[Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]**
Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 051877 **[Settlement of Lawsuit - Carol Renault v. CCSF, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for $900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 051878 **[Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for $75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 051896 **[Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 051899 [Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 051935 [Settlement of Claim - Yully Company]

Resolution approving the settlement of the unlitigated Claim No. 05-03042 filed by Yully Company on March 24, 2005, against the City and County of San Francisco for $119,000.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

13. 051763 [Appointment - Public Utilities Revenue Bond Oversight Committee]

Resolution appointing David Sutter, term ending November 12, 2009, to the Public Utilities Revenue Bond Oversight Committee.

David Sutter, succeeding himself, term expired, seat 2, must have expertise, skills and experience in economics, the environment, construction or project management, for the unexpired portion of a four-year term ending November 12, 2009.

Question: Shall this Resolution be ADOPTED?

14. 051976 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Michael Potepan, term ending November 16, 2006, to the Back Streets Business Advisory Board.

Michael Potepan, succeeding My Do, resigned, seat 6, must be an officer or representative of an economic development or planning organization or association, or of an academic institution, for the unexpired portion of a two-year term ending November 16, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

15. 051808 [Liquor License Transfer, 4715 Geary Boulevard]

Hearing to consider that the transfer of a Type 21 off-sale general alcoholic beverage control license from 308 Randolph Street to 4715 Geary Boulevard (District 1), to Wendy Ai-Phi Van dba D&M Liquor Mart, will serve the convenience of the people of the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

16. 051913 **[Grant of Regional Funds - Municipal Transportation Agency]**
Supervisor Dufty
Resolution authorizing the Municipal Transportation Agency to accept and expend $11,283,000 of Regional Measure 2 funds for the Automatic Vehicle Location System project.

Question: Shall this Resolution be ADOPTED?

17. 051957 **[Grant of Local Funds - Municipal Transportation Agency]**
Supervisors Dufty, Ma
Resolution authorizing the Municipal Transportation Agency to accept and expend $876,050 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to implement projects that reduce air pollution from motor vehicles.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

18. 052053 **[Adopting findings related to the conditional use appeal on property located at 80 West Portal Avenue]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2005.0698C (which allowed the establishment of a mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height an Bulk District) for property located at 80 West Portal (Lot 008, in Assessor's Block 2931).

(Clerk of the Board)

(Companion measure to Files 051784, 051785, 051786, 051787.)

1/4/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

19. 051559 **[An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or calamity, to apply to the Assessor for reassessment]**

Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 051721 **[Zoning - Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**

Supervisors Ammiano, Maxwell, Dufty, Daly

Urgency Ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

21. 051789 **[Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City.

(Civil Service Commission)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

22. 051923 **[Authorization for Loan from SFCTA]**
Supervisor McGoldrick
Resolution authorizing the City and County of San Francisco, through its Municipal Transportation Agency, to borrow $22.57 million of Proposition K Sales Tax Funds from the San Francisco County Transportation Authority to allow the Third Street Light Rail Transit – Muni Metro East Maintenance and Operations Facility Project to proceed in advance of receiving anticipated state grant funds.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

23. 051273 **[Airport Environmental Review]**
Resolution certifying the Determination of the Office of Environmental Review that no further environmental review document is necessary for the West Field Cargo Redevelopment Project at San Francisco International Airport.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

24. 051149 **[Webpage maintenance by individual members of the Board of Supervisors]**
Supervisor Daly
Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to expressly permit individual members of the Board of Supervisors to maintain and update Webpages hosted on the Website of the Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

25. 051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly
Ordinance amending Subdivision Code Section 1332 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly
Ordinance amending Administrative Code Section 37.10A to require property owners and their agents to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present Supervisors Alioto-Pier, Mirkarimi, Peskin

27. 051439 **[Campaign Finance Reform Amendments of 2005]**
Supervisor Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance.
(Ethics Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 051652 **[Office of Labor Standards Enforcement]**
Supervisor Ammiano
Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 051845 **[Confirmation: City Hall Preservation Advisory Commission]**
Mayor
Resolution confirming the appointment of James W. Haas, G. Bland Platt and Anne Cervantes for a two year term to the City Hall Preservation Advisory Commission.

Question: Shall this Resolution be ADOPTED?

30. 051846 **[Confirmation: City Hall Preservation Advisory Commission]**
Mayor
Resolution confirming the appointment of Ellen Schumer and Mae Woo for a four year term to the City Hall Preservation Advisory Commission.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Alioto-Pier, Peskin

31. 051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 051952 **[Board of Supervisors - Meeting Schedule]**
Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the February 21, 2006, May 30, 2006, October 10, 2006, November 28, 2006, December 19, 2006, December 26, 2006 and January 2, 2007 meetings and by canceling all Board and Committee meetings from August 16 through September 5, 2006 and re-instating the regularly scheduled Board of Supervisors meeting on January 17, 2006.
(Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

33. 051951 **[Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Five Members]**
Supervisor Maxwell
Motion amending the Board of Supervisors Rules of Order by adding Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of five members of the Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

34. 051903 **[Paratransit Reimbursement – Taxi Meter Rates]**
Supervisor Alioto-Pier
Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratrasit program to December 31, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 051458 **[Public Works Code - landmark trees, significant trees, and penalties for violations]**

Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

9/27/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, CONTINUED. Continued to November 1, 2005

11/1/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/1/2005, RE-REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 051720 **[Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]**

Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

37. 051751 **[Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).
(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

11/1/2005, CONTINUED.
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

38. 051752 **[Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]**
Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.
(Clerk of the Board)

11/1/2005, CONTINUED. Continued to January 10, 2006
Question: Shall this Motion be APPROVED?

39. 051753 **[Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]**

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.
(Clerk of the Board)

11/1/2005, CONTINUED Continued to January 10, 2006

Question: Shall this Motion be APPROVED?

40. 051754 **[Findings - 901 Bush Street]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.
(Clerk of the Board)

11/1/2005, CONTINUED Continued to January 10, 2006

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

41. 051755 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733-27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, façade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the façade.

The approximately 3,710 square-foot project site is located at 733-27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

(Filed 10/13/05; companion measure to Files 051756, 051758, 051758; District 1.)

11/8/2005, CONTINUED. Continued to Janaury 10, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

42. 051756 **[Affirming the categorical exemption issued for 733-27th Avenue]**
Motion affirming the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

11/8/2005, CONTINUED. Continued to January 10, 2006

Question: Shall this Motion be APPROVED?

43. 051757 **[Disapproving the categorical exemption issued for 733-27th Avenue]**
Motion disapproving the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

11/8/2005, CONTINUED. Continued to January 10, 2006

Question: Shall this Motion be APPROVED?

44. 051758 **[Preparation of findings related to the categorical exemption issued for 733-27th Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

11/8/2005, CONTINUED. Continued to January 10, 2006

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

45. 051996 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for Proposed Ordinance Regulating Off Street Parking in C-3 Zoning Districts]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 23, 2005, Case No. 2005.0796E, exempting from environmental review a Board of Supervisors proposed ordinance (Board File No. 051453) amending San Francisco Planning Code Sections 151, 151.1, 154, 155, 155.5, 166, and 167. The proposed legislation would amend Section 151 to set no minimum number of off-street parking spaces per dwelling unit and to provide that a maximum of one parking space per two dwelling units may be permitted by conditional use permit in C-3 zoning districts. Section 151.1, to require that, in C-3 zoning districts, the Planning Commission review any request for accessory parking in excess of what is permitted by right. Section 154, to provide that there are no minimum area or dimension requirements for off-street parking spaces in C-3 zoning districts, except for the off-street parking spaces designated for persons with disabilities. Section 155, to require below grade off-street parking in C-3 zoning district, set forth the width of openings in any single development for access to off-street parking, and prohibit sidewalk narrowings for porte cocheres to accommodate passenger loading and unloading. Section 155.5, to require a minimum number of bicycle parking spaces in dwelling units in C-3 zoning districts. Section 166, to require that, in C-3 zoning districts, newly constructed buildings that contain residential uses have a minimum number of off-street car-share parking spaces. Section 167, to provide that in C-3 zoning districts, the costs of off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more must be leased or sold separately from the rent or purchase fees for the dwelling units, subject to an exception by the Planning Commission for affordable housing projects where parking and housing costs must be bundled together. (Appellants: Wade Randlett on behalf of SFSOS, J. Timothy Falvey on behalf of Union Square Association and Katherine Mattes on behalf of BOMA-SF.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

46. 051997 **[Affirming the CEQA exemption determination issued for proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion affirming the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

47. 051998 **[Disapproving the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion disapproving the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

48. 051999 **[Preparation of findings related to the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

49. **051991** **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)
(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

50. **051992** **[Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

51. **051993** **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

52. 051994 **[Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, January 9, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, January 10, 2006.

53. 052006 **[Appropriation of Assessments Levied for Business Improvement Districts]**
Supervisor Peskin
Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 052018 **[Contract with Owners' Association for administration of North of Market/Tenderloin Community Benefit District]**
Supervisor Daly
Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "North of Market/Tenderloin Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

55. 051967 **[Contract with Owners' Association for administration of Noe Valley Community Benefit District]**
Supervisor Dufty
Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Noe Valley Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

56. **051968** **[Contract with Owners' Association for administration of Castro/Upper Market Community Benefit District]**

Supervisor Dufty

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Castro/Upper Market Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

57. **052026** **[Contract with Owners' Association for administration of Fisherman's Wharf Community Benefit District]**

Supervisor Peskin

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Fisherman's Wharf Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

58. **052030** **[Contract with Owners' Association for administration of 2500 Block of Mission Street Business Improvement District]**

Supervisor Ammiano

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "2500 Block of Mission Street Business Improvement District" pursuant to Section 36651 of the Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

59. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

60. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 61 through 65

61. 052014 **[Declaration of Election Results]**

Supervisor Peskin

Resolution declaring the results of the November 8, 2005 Consolidated Special Statewide Election.

12/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

62. 052031 **[Supporting Assembly Bill 944 (Ridley Thomas)]**

Supervisors Ammiano, Maxwell, McGoldrick, Daly

Resolution urging the Governor of California and the California Senate and Assembly to support the passage of Assembly Bill 944 (Ridley Thomas) which will require a warning label be conspicuously posted wherever firearms are sold and that the warning be included in firearms sales contracts and further that the warning be included in the Handgun Safety Certificate Study Guide published by the California Department of Justice.

12/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. 052032 **[Commending George Gulbengay upon his retirement from the San Francisco Police Department]**

Supervisor Dufty

Resolution commending George Gulbengay upon his retirement from the San Francisco Police Department.

12/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 052033 **[Urging the renaming of Western Addition Branch Library]**

Supervisor Mirkarimi

Resolution urging the Library Commission to rename the Western Addition Branch Library as the Mary Helen Rogers Branch Library.

12/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. 052034 [Final Map for a 33 Unit Commercial/Residential Condominium Project - 1728-1748 Haight Street]

Motion approving Final Map of 1728-1748 Haight Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 035 in Assessor's Block No. 1229, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175774; District 5.)

12/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

66. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 6, 2005 through December 30, 2005, for reference by President to appropriate committee on January 10, 2006.

052043 **[Settlement of Lawsuit -Frank Euphrate, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al.
(City Attorney)

12/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

052044 **[Settlement of Lawsuit - Mary Williams]**
Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al.
(City Attorney)

12/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

052052 **[Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**
Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers.
(Parking and Traffic Department)

12/29/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 6, 2005 through December 30, 2005, for reference by President to appropriate committee on January 10, 2006.

052039 **[Fuel Contract 70881 - Office of Contract Administration]**
Resolution authorizing the Purchaser to award contract for Fuel, Diesel, Bio-Diesel and Gasoline as the contract will exceed $10,000,000.00.
(Purchaser)

12/9/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052042 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Mangels at Colon Avenues, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3111.)

12/14/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052045 **[Proposition J Certification, Status Offender Shelter and Intake Services]**
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.
(Juvenile Probation Department)

12/20/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052047 **[Quitclaim of Water Pipeline Easement]**
Resolution approving the quitclaim of a water pipeline easement located at 1410 El Camino Real, South San Francisco, San Mateo County to the owner of the underlying fee interest in the property for a purchase price of $30,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale by quitclaim is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)

12/30/2005, RECEIVED AND ASSIGNED to Land Use Committee.

052048 **[Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006.
(Public Health Department)

12/30/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052049 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly.
(Parking and Traffic Department)
(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

12/29/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052050 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;
Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;
Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection; and,
York Street at Peralta Avenue, stopping the stem of this T-intersection.
(Parking and Traffic Department)
(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

12/29/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052051 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN EXCEPT MUNI - ESTABLISH
Market Street, southbound, at Clayton Street.

NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH
Potrero Avenue, northbound, at 22nd Street.
(Parking and Traffic Department)
(12/22/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

12/29/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060001 **[Petitions and Communications, Part 1]**

Petitions and Communications received from December 6, 2005 through December 30, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 10, 2006. Part 1.

From Department of Parking and Traffic, submitting notice that the roadway striping, including crosswalks and turn arrows at the intersection of Kezar Drive at Lincoln Way and Arguello Street at Lincoln Way have been painted. (Reference No. 20050920-007 & 20050920-005) Copy: Supervisor Mirkarimi (1)

From Department of Parking and Traffic, regarding the feasibility of establishing separate timing for pedestrian crossings on Masonic Avenue at Oak and at Fell Streets. (Reference No. 20051018-015) Copy: Supervisor Mirkarimi (2)

From Municipal Transportation Agency, regarding traffic calming measures on Laguna Street between Bush and Pine Streets. (Reference No. 20050524-004) Copy: Supervisor Mirkarimi (3)

From Municipal Transportation Agency, regarding traffic calming measures on 12th Avenue between Lincoln Way and Irving Street. (Reference No. 20051018-012) Copy: Supervisor Mirkarimi (4)

From Department of Parking and Traffic, regarding the feasibility of converting Kensington Way into a one-way street. (Reference No. 20051018-010) Copy: Supervisor Elsbernd (5)

From Department of Parking and Traffic, responding to request to install additional stop signs at the intersection on Allston Way and Claremont Boulevard. (Reference No. 20050906-011) Copy: Supervisor Elsbernd (6)

From Municipal Transportation Agency, regarding traffic calming measures near 16th Avenue and Lawton Street. (Reference No. 20051018-001) Copy: Supervisor Elsbernd (7)

From Public Library, submitting copy of letter sent to Supervisor Sandoval regarding proposed legislation urging the Bernal Preschool to return to the Bernal Branch Library upon completion of the Branch Library Renovation. File 051928 (8)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Tina Tom, legislative assistant to Supervisor Sandoval. (9)

From Office of the City Attorney, submitting notice that appeal filed by SFSOS opposing decision from Planning Department for exemption from environmental review for regulating street parking in C-3 Zoning Districts was filed in a timely manner. File 051453, Copy: Each Supervisor (10)

From Planning Department, submitting notice that the Planning Department has rescinded the Categorical Exemption for the proposed project at 1135-1139 Green Street. File 051858, Copy: Each Supervisor (11)

From Recreation and Park Department, regarding the tree inspection system/process the Recreation and Parks Department currently has in place. Copy: Supervisors Alioto-Pier, Mirkarimi (12)

From Office of the Controller, submitting an annual report of the financial condition of the City and County for fiscal year 2004-05. Copy: Each Supervisor (13)

From Sue Hestor, submitting request for continuance of public hearing for 2660 Harrison Street to January 24, 2006. File 051936, Copy: Each Supervisor, City Attorney (14)

From Public Library, submitting copy of letter sent to Supervisor Peskin regarding proposed

legislation urging the Bernal Preschool to return to the Bernal Branch Library upon completion of the Branch Library Renovation. File 051928 (15)

From Supervisor McGoldrick, submitting the policy goals/objectives for the Better Neighborhoods Plus update. File 050601, Copy: Each Supervisor, City Attorney (16)

From Municipal Transportation Agency, regarding traffic concerns on Yerba Buena Avenue at Casitas and Hazelwood Avenues. (Reference No. 20051011-008) Copy: Supervisor Elsbernd (17)

From West of Twin Peaks Central Council, submitting opposition to proposed legislation regarding the Better Neighborhood Planning and Implementation Process. File 050601, Copy: Each Supervisor (18)

From West of Twin Peaks Central Council, submitting copy of letter sent to the Mayor supporting the Police Chief's proposed five 50-officer Police Academy classes per year for the next three years to bring the force up to the staffing level required to protect the citizens of San Francisco. Copy: Each Supervisor (19)

From West of Twin Peaks Central Council, submitting opposition to the Planning Departments decision, approving Conditional Use Application on property located at 80 West Portal Avenue. File 051784, Copy: Each Supervisor (20)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending November 30, 2005. (21)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (22)

From Russian Hill Neighbors, urging the Board not to adopt the current version of the Better Neighborhoods Planning and Implementation Process. File 050601, Copy: Each Supervisor (23)

From Taxi Commission, submitting resolution supporting alternative-fuelled and low-emission vehicles as taxicabs. (24)

From Redevelopment Agency, responding to Resolution 562-05 relating to land use matters in the Western Addition. File 051299 (25)

From concerned citizens, submitting several suggestions to the Board regarding the Better Neighborhoods Planning and Implementation Process. File 050601, Copy: Each Supervisor (26)

From Department of Elections, submitting a certified copy of the Certification of Election Results dated December 5, 2005, for the November 8, 2005 election; letter of certification of the Charter Amendment (Proposition E); and a certified copy of the Voter Information Pamphlet mailed to all voters. (27)

From Planning Department, responding to the appeal of Mitigated Negative Declaration for 2660 Harrison Street. File 051936, Copy: Each Supervisor, City Attorney (28)

From Department of the Environment, submitting report regarding the Integrated Pest Management Program. Copy: Each Supervisor (29)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (30)

From concerned citizens, submitting support for the appointment of retired Rear Admiral John Bitoff to the Police Commission. (31)

From concerned citizens, submitting support for landmark status of St. Brigid Church. File 051772 (32)

From concerned citizens, commenting on the publicity of the Police Department's videotape mocking various segments of the population in San Francisco. Copy: Each Supervisor (33)

From concerned citizens, submitting opposition to proposed legislation requiring all condominium conversions of tenancies-in-common to go through the Planning Commission. File 051637, Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to proposed legislation that imposes new requirements in C-3 Zoning Districts for off-street parking. File 051453, Copy: Supervisors Maxwell, Sandoval, McGoldrick (35)

From concerned citizens, regarding home ownership in San Francisco. (36)

From Coalition for San Francisco Neighborhoods, urging the Board to continue proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process" because of an alleged Sunshine Ordinance violation. File 050601, Copy: Each Supervisor, City Attorney (37)

From Office of the City Attorney, submitting notice that appeal of exemption from environmental review for 1043-1045 Francisco Street was filed in a timely manner. File 052035 (38)

From Redevelopment Agency, regarding the proposed ordinance adopting the Mid-Market Redevelopment Plan and the Mid-Market Special Use District. (39)

From S.F. Labor Council, AFL-CIO, submitting copy of letter sent to Mayor Newsom supporting his rapid and firm response to the recent video that has surfaced from the Police Department. (40)

From Department of Parking and Traffic, regarding the feasibility of installing a stop sign or some other traffic calming measure at the intersection of Vale Avenue and Sloat Boulevard. (Reference No. 20051206-003) Copy: Supervisor Elsbernd (41)

From Office of the City Attorney, submitting notice that appeal filed by BOMA-SF and the Union Square Association opposing decision of the Planning Department for exemption from environmental review for regulating street parking in C-3 Zoning Districts was filed in a timely manner. File 051453, Copy: Each Supervisor (42)

From SF Association of Realtors, submitting opposition to proposed legislation regarding the Purchaser Protection Ordinance; the proposed amendment to the Subdivision Code requiring Planning Commission review of condominium conversion applications. Files 051822, 051637, Copy: Each Supervisor (43)

From BOMA-SF and the Union Square Association, filing notice of appeal from action of Planning Commission approving exemption from environmental review for regulating street parking in C-3 Zoning Districts. File 051453, Copy: Each Supervisor (44)

From State Department of Health Services, regarding the Medical Marijuana Identification Card Program. (45)

From Department of Parking and Traffic, responding to request for stop signs at the intersection of San Anselmo and San Buenaventura. (Reference No. 20051206-001) Copy: Supervisor Elsbernd (46)

From Office of the Controller, submitting report on the rates of fare and gate fees in the Taxicab Industry in San Francisco. Copy: Each Supervisor (47)

From Law Offices of Stephen Williams, regarding request for continuance of public hearing for appeal of categorical exemption for 730 Great Highway to January 10, 2006. File 051852, Copy: Each Supervisor, City Attorney (48)

From Office of the Controller, submitting report concerning the Mission Housing Development Corporation. (49)

From Golden Gate Bridge, Highway and Transportation District, submitting annual report for the Golden Gate Bridge, Highway and Transportation District, fiscal year 2004-05. (50)

From Office of the Controller, submitting report concerning the Treasure Island Development Authority. Copy: Each Supervisor (51)

From Congresswoman Doris Matsui, submitting copy of letter sent to the U.S. House of Representatives. (52)

From Office of the Mayor, submitting notice that in fiscal year 2005-06 the City will undergo reorganization that will improve operational efficiency. Copy: Each Supervisor (53)

From Public Library, submitting status report on the Park Branch Library elevator. (Reference No. 20051115-003) Copy: Supervisor Mirkarimi (54)

From Office of the Controller, submitting a review of CPA audit of Enterprise Rent-A-Car Company for period of January 2001 through December 2001. (55)

From Office of the Controller, submitting a review of CPA audit of Enterprise Rent-A-Car Company for period of January 2003 through December 2004. (56)

From Julia Weber, concerning the preschool currently located in the Bernal Heights library building and the planned changes. (57)

From Raphael Mazor, concerning the future of Treasure Island Development. Copy: Each Supervisor (58)

From Christian Holmer, regarding Sunshine Ordinance request from the PUC. (59)

060002 **[Petitions and Communications, Part 2.]**

Petitions and Communications received from December 6, 2005 through December 30, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 10, 2006. Part 2.

From Florence Fung, submitting request to eliminate the driveway and crosswalk at 930 Ulloa Street from parking restrictions. (60)

From California Public Utilities Commission, submitting notice of application filed by PG&E requesting a total annual revenue increase in 2007 of 6.3 percent. (61)

From Eugene Kelly, regarding second notice received from LDC Collection Systems regarding a parking ticket that has been paid. (62)

From concerned citizens, concerning Supervisor Daly alleging accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee. (63)

From concerned citizens, expressing their appreciation for the police investigative work by officers of the Taraval Police Station who apprehended the suspects who burglarized 150 homes in the Sunset district. (64)

From Michael Morris, suggesting the Department of Parking and Traffic increase the parking fines for outsiders and not penalize local residents for residential parking. Copy: Each Supervisor (65)

From James Chaffee, regarding budget for the renovation of the Noe Valley Branch Library. (66)

From Bruce Brugmann, regarding article printed in the December 6, 2005 Bay Guardian entitled "just how far downtown heavies will go to punish a Supervisor for voting against a chain store for protecting small business in the neighborhoods. (67)

From Jeremy Williams, regarding the current list of H-2 firefighter candidates that will end December 20, 2005. Copy: Each Supervisor (68)

From concerned citizens, submitting support to continue full funding for the Neighborhood Emergency Response Team (N.E.R.T.) program provided by the Fire Department. (69)

From Citizen's General Obligation Bond Oversight Committee, submitting the 2005 annual report for the Citizen's General Obligation Bond Oversight Committee. Copy: Rules Clerk (70)

From Office of the Controller, submitting report concerning the audit of United Airlines. (71)

From Leeandra Harris, regarding the Western Addition Economic Advancement Community Corporation. (72)

From George Smith, submitting copy of letter sent to the Mayor's Office of Economic and Workforce Development regarding City Build. (73)

From concerned citizens, submitting support for berthing the USS Iowa in San Francisco. Copy: Each Supervisor (74)

From Airport, submitting request for waiver of Administrative Code Chapters 12B and 12C for Dominic's Poplar Creek. (75)

From Office of the Legislative Analyst, submitting report on the current restorative justice practices within the City and County of San Francisco and identifying the best practices from other

municipalities. File 050455 (76)

From Clerk of the Board, submitting notice that the Clerk of the Board has not received any Watch Law (Patriot Act) requests during 2005. Copy: Each Supervisor (77)

From Planning Department, regarding incentives for Mixed-Use "Housing Over Retail" development. (Reference No. 20051025-005) Copy: Supervisor Dufty (78)

From Courtney Papke, commenting on the recent raid of the HopNet co-op medical marijuana dispensary by the DEA. Copy: Each Supervisor (79)

From concerned citizens, urging the Board of Supervisors to find a way to keep Coffman swimming pool clean, safe and open for the community it serves. Copy: Recreation and Park Department (80)

From concerned citizens, commenting on the recent passage of Prop H, the ban on handguns in San Francisco. (81)

From Lisa Block, submitting support for proposed legislation regarding landmark trees, significant trees and penalties for violations. File 051458, Copy: Each Supervisor (82)

From Jeff Staben, urging the Board of Supervisors to support saving the San Francisco Soccer League that has serviced the City for 103 years. Copy: Supervisor McGoldrick (83)

From Rob Worley, submitting support for banning "full service" restaurants in the Inner Sunset District. (84)

From Ross Stevenson, concerning the deterioration of the area around 15th Street between Market and Noe Streets with the increase in criminals, junkies and homeless people. Copy: Supervisor Dufty (85)

From Marlene Eckhardt, concerning the deterioration of the area near the Park Presidio Boulevard trail and surrounding area in the Richmond District. Copy: Supervisor McGoldrick (86)

From William Coburn, commenting that Medical and Medicare do not cover the cost of smoking cessation aids. Copy: Each Supervisor (87)

From Deborah Gallegos, urging the Board to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. Copy: Each Supervisor (88)

From Public Utilities Commission, reporting storm drains along Webster Street at the intersections of Turk Street, Golden Gate Avenue, McAllister and Fulton Streets have been cleaned. (Reference No. 20051206-005) Copy: Supervisor Mirkarimi (89)

From Jamison Wieser, regarding the lack of Muni service in the South Beach/Mission Bay area. Copy: Each Supervisor (90)

From Alberto Guerrero, commenting that "Green Cross" medical marijuana dispensary is providing an important service to the neighborhood. (91)

From Mary McLaughlin, suggesting we should use absentee ballots to all registered voters and stop spending so much money testing new voting machines. (92)

From State Senate Rules Committee, submitting appointment of the following members to the Water Quality Control Board, North Coastal Region: Hedi Carpenter-Harris of Salyer, representing recreation, fish or wildlife, term ending September 30, 2006; Dennis Leonardi of Ferndale, representing industrial water user, term ending September 18, 2006; and Clifford Marshall of Orleans, representing municipal government or city council, term ending September 30, 2008. (93)

From Municipal Transportation Agency, regarding the feasibility of installing a separate turn light for N-Judah cars at the intersection of 9th Avenue and Irving Streets. (Reference No. 20051115-002) Copy: Supervisor Mirkarimi (94)

From Department of Parking and Traffic, concerning the installation of a left-turn signal on Bosworth at Congo Streets. (Reference No. 20050816-009) Copy: Supervisor Elsbernd (95)

From Department of Public Works, regarding reconstruction of the 1900 block of Laguna Street, between Pine and California Streets. (Reference No. 20051108-003) Copy: Supervisor Mirkarimi (96)

From Department of Public Works, responding to request to repair potholes at 839 and 855 Golden Gate Avenue and 536 Steiner Street. (Reference No. 20051206-004) Copy: Supervisor Mirkarimi (97)

From Department of Public Works, responding to request to remove graffiti from various locations. (Reference No. 20051101-006) Copy: Supervisor Mirkarimi (98)

From Fire Department, regarding plans to coordinate emergency aid from other jurisdictions in the event of a major disaster. (Reference No. 20050927-007) Copy: Supervisor Sandoval (99)

From Department of Public Works, responding to request to remove graffiti from the Department of Motor Vehicles building and sign at the intersection of Fell and Baker Streets. (Reference No. 20051122-004) Copy: Supervisor Mirkarimi (100)

From Department of Public Works, responding to request to remove graffiti from various locations. (Reference No. 20051122-001) Copy: Supervisor Mirkarimi (101)

From Department of Public Works, responding to request for sidewalk repair at 200 Fillmore Street. (Reference No. 20051115-005) Copy: Supervisor Mirkarimi (102)

From City College, regarding construction of the New Mission Campus site. (Reference No. 20051018-017) Copy: Supervisor Ammiano (103)

From S.F. Association of Realtors, submitting opposition to proposed legislation entitled "Residential Housing Purchase Protection" before the Board of Supervisors on January 10, 2006. File 051822, Copy: Each Supervisor (104)

From S.F. Association of Realtors, submitting opposition to proposed legislation that requires Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to the condominium conversion lottery. File 051637, Copy: Each Supervisor (105)

From Nicholas Feldman, regarding limousines operating as unlicensed taxicabs. File 051720, Copy: Each Supervisor (106)

From State Public Utilities Commission, submitting notice of Pacific, Gas and Electric Company's application to increase the revenue for PG&E to distribute gas and electricity and to generate electricity. (107)

From Comcast Cable, submitting notice that effective January 2006 the new franchise fee rate will be 6.20%. (108)

From concerned citizens, submitting their opinion of the political climate in San Francisco. (109)

From California Department of Parks and Recreation, submitting notice that the Port of San Francisco Embarcadero Historic District will be considered by the State Historic Resources Commission for nomination to the National Register of Historic Places. (110)

From Department of Public Works, responding to request to remove graffiti from various locations. (Reference No. 20051101-003) Copy: Supervisor Mirkarimi (111)

From Daphne Blumenthal, expressing her outrage at the one-hour parking meters placed throughout most of the city. Copy: Mayor (112)

From Clerk of the Board, regarding motion adopted by LAFCO indicating its interest (to the Mayor, Board of Supervisors and the Department of Telecommunications and Information Services) in pursuing a municipally owned WIFI system; and requesting a feasibility study to assess the financial implications, reviewing an inclusionary process, and providing for a needs analysis be addressed. (113)

From Lois Enos, submitting her concern that cars and buses no longer come to a complete stop at crosswalks and no one seems to care. (114)

From Jamison Wieser, urging the Board of Supervisors to move forward in building a new Transbay Terminal without waiting for a state rail bond that might never come to be. (115)

From Ahimsa Sumchai, regarding alleged Conflict of Interest with the Mayor's Office of Economic Development and Arc Ecology. (116)

From Real Estate Division, submitting notice that the Real Estate Division has received General Plan approval from the Planning Department to sell city property at 425 Mason Street. (117)

From State Senate Rules Committee, submitting appointment of Tam M. Doduc of Sacramento and Gerald D. Secundy of Pasadena as members of the State Water Resources Control Board terms ending January 15, 2009. (118)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 17, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Thursday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051559 **[An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or calamity, to apply to the Assessor for reassessment]**

Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

1/10/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 051720 [Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]

Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Peskin

3. 052006 [Appropriation of Assessments Levied for Business Improvement Districts]

Supervisor Peskin

Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

4. 051439 **[Campaign Finance Reform Amendments of 2005]**
Supervisor Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance.
(Ethics Commission)

1/10/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Peskin

5. 051745 **[Settlement of Lawsuit - Dazell Mallory]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of $53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

6. 051812 **[Settlement of Lawsuit - Theresa Koenig]**
Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for $190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 051813 [Settlement of Lawsuit - Tania Tavasieff Foley]

Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for $75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 051814 [Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 051820 [Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]

Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 051877 [Settlement of Lawsuit - Carol Renault v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for $900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 051878 **[Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for $75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

12. 051896 **[Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

13. 051899 **[Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/10/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

14. 051458 [Public Works Code - landmark trees, significant trees, and penalties for violations]
Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

9/27/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, CONTINUED. Continued to November 1, 2005

11/1/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/1/2005, RE-REFERRED to City Operations and Neighborhood Services Committee.

1/10/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

15. 050601 **[Better Neighborhoods Planning and Implementation Process]**
Supervisors McGoldrick, Maxwell
Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly
Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 01/10/05, Amendment of the Whole at Board.

1/10/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

17. 051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly
Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

1/10/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

18. 051652 [Office of Labor Standards Enforcement]

Supervisors Ammiano, Mirkarimi

Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

1/10/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Peskin

19. 051871 [Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]

Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

1/10/2006, CONTINUED. Continued to January 17, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 051983 **[Changing the official sidewalk width - Turk Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 051984 **[Changing the official sidewalk width - Market, Main, and Spear Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

22. 051948 **[Street Encroachment at 365 Main Street]**
Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)
(Supervisor McGoldrick dissenting in committee)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

23. 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board. There were none.
Continued to January 17, 2006 at 4:00 p.m.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

24. 051853 **[Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

25. 051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

26. 051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

27. **052035** **[Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).
(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. **052036** **[Affirming the categorical exemption issued for 1043-1045 Francisco Street]**

Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. **052037** **[Disapproving the categorical exemption issued for 1043-1045 Francisco Street]**

Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. 052038 **[Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

32. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 40

33. 060037 **[Commending Christine Quinn]**

Supervisors Ammiano, Dufty

Resolution commending New York City Council member Christine Quinn for being selected as the new Speaker of the New York City Council and for being the first woman, openly gay and Irish Speaker of the City Council of New York City.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 060038 [Extension of SRO Hotel Safety and Stabilization Task Force]

Supervisor Ammiano

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2006.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 060039 [Accept-expend State Grant Funds available under the Land and Water Conservation Fund Program to fund the 24th Street York Mini Park Project]

Supervisor Ammiano

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $81,190 available under the Federal Land and Water Conservation Fund Program administered by the National Park Service under the provisions of the Land and Water Conservation Fund Act of 1965 for the development of the 24th Street York Mini Park.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 060040 [Accept-expend State Grant Funds available under the Youth Soccer and Recreation Development Program to fund the South of Market Area (SOMA) Park]

Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $630,000 for the development of the South of Market Area (SOMA) Park, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 060041 [75th Anniversary of the San Francisco Golden Gloves]

Supervisor Ma

Resolution commending the 75th anniversary of the San Francisco Golden Gloves.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 060042 [Accept-expend State Grant Funds available under the State Urban Parks and Healthy Communities Program to fund the Argonne Playground Project]

Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $664,428 for the development of the Argonne Playground Project, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 060043 **[Adopting policies on the reimbursement of expenses and ethics training]**

Supervisor Peskin

Resolution adopting policies and procedures for the reimbursement of officers and employees for authorized expenses incurred in the performance of official duties and designating certain employees to receive ethics training specified in State law.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

40. 060044 **[Lee Mallory Day]**

Supervisor Peskin

Resolution declaring January 10th, 2006, Lee Mallory Day in San Francisco.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 31, 2005 through January 9, 2006, for reference by President to appropriate committee on January 17, 2006.

060006 **[Settlement of Claims - Pacific Gas & Electric Company]**
Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

1/9/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 31, 2005 through January 9, 2006, for reference by President to appropriate committee on January 17, 2006.

060004 **[Interdepartmental jurisdictional transfer of property near Islais Creek]**
Resolution transferring jurisdiction of the real property identified as portions of Assessor's Parcel Nos. 4352/001 and 4382/005 from the Public Utilities Commission to the Municipal Transportation Agency as part of the new Islais Creek Motor Coach Operations and Maintenance Facility; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
(Real Estate Department)

1/5/2006, RECEIVED AND ASSIGNED to Land Use Committee.

060005 **[Contract funds to support research on HIV/AIDS in under-researched populations]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to $74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of January 1, 2006, to December 31, 2006.
(Public Health Department)

1/4/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060053 [Petitions and Communications]

Petitions and Communications received from December 31, 2005 through January 9, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 17, 2006.

From Supervisor Peskin, submitting appointment of Debra Walker, Residential Tenant; Joe Grubb, Resident Landlord; Criss Romero, Member of the General Public to serve on the San Francisco Building Inspection Commission pursuant to Charter Section 4.121; effective immediately. (1)

From Peter Granoff, submitting request for a Type 21 off-sale general retail alcoholic beverage license for Ferry Plaza Wine Merchant, LP ("Ferry Wine") at Pier 50A in San Francisco. (2)

From Office of the Controller, submitting report concerning the audit of three charitable organizations that registered with the SF Police Department to solicit funds for charitable purposes within the City and County of San Francisco. (3)

From Department of Public Works, responding to request to repair potholes at various locations. (Reference No. 20051213-007) Copy: Supervisor Mirkarimi (4)

From Municipal Transportation Agency, regarding request to install a Yield sign at the intersection of Isola Way at Teresita Boulevard. (Reference No. 20051205-002) Copy: Supervisor Elsbernd (5)

From Office of the Controller, submitting the Semi-Annual Debarment Report for fiscal year 2005-06. (6)

From Janet Kan, commenting what a splendid job the Fire Department is doing training San Francisco citizens in the Neighborhood Emergency Response Training (N.E.R.T.) program. (7)

From Edith McMillan, submitting copy of letter sent to the Assessor/Recorder regarding the misspelling of her last name on her tax bill, etc. (8)

From Planning Department, submitting response to two letters of appeal regarding the issuance of a Certificate of Determination exempting the proposed C-3 Zoning Code Amendments from California Environmental Quality Act (CEQA). File 051996 (9)

From SF Environment, submitting the Department of the Environment's Regulation No. SFE-05-03-CTT, adopting payroll expense tax exclusion for clean energy technology businesses, effective January 1, 2006. (10)

From Fire Department, regarding the Fire Department's plan to coordinate emergency aid from other jurisdictions in the event of a major disaster. (Reference No. 20050927-007) Copy: Supervisors Ma, Dufty, McGoldrick, Sandoval (11)

From Law Offices of Stephen Williams, submitting substantial evidence to support a "fair argument" under CEQA that the proposed project at 733 – 27th Avenue should not be exempt from environmental review. File 051755 (12)

From Union Square Association and the Building Owners and Managers Association of San Francisco, submitting documentary evidence in support of their appeal of CEQA exclusion determination for proposed ordinance regarding off-street parking in C-3 zoning districts. File 051996 (13)

From Mr. Lee, regarding alleged discrimination against practitioners of Falun Gong by the Chinese Chamber of Commerce in San Francisco. File 050301 (14)

From Human Services Agency, submitting request for release of reserved funding for seniors and younger disabled adults in the South of Market Area in the amount of $78,601.33. File 052024 (15)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending December 31, 2005. (16)

From concerned citizens, submitting support for the CEQA exemption determination issued by the Planning Department for proposed ordinance regulating off-street parking in C-3 zoning districts. File 051996, Copy: Each Supervisor (17)

From Hauser Architects, submitting response to appellant's arguments opposing the decision of the Planning Commission approving Conditional Use on property located at 2660 Harrison Street. File 051991, 051936 (18)

From Peter Schurman, submitting support for charging a fee for professional dog walkers in public spaces in San Francisco. Copy: Supervisor Ammiano (19)

From Anthony Gramps, submitting opposition to the recently passed policy banning military recruiters in San Francisco public schools. Copy: Each Supervisor (20)

From concerned citizens, submitting opposition to proposal to close public schools in San Francisco. Copy: Each Supervisor (21)

From Eric Whitaker, submitting request for a Type 42 on sale beer and wine license for Ray Morrone dba "Space Gallery" located at 1141 Polk Street. (22)

From SF Association of Realtors, submitting amendments to proposed legislation regarding the Residential Housing Purchaser Protection Ordinance. File 051822, Copy: Each Supervisor (23)

From Department of Children, Youth and Their Families, submitting request for release of reserved funds to enter into grant agreements with two community-based programs to provide services to the South of Market communities. (24)

From Municipal Transportation Agency, submitting report on the justification for those employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors. (25)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (26)

From concerned citizens, submitting opposition to proposed legislation regarding the Better Neighborhoods Plus Ordinance. File 050601, Copy: Each Supervisor (27)

From Angelica Cabande, submitting support for saving the Bernal Preschool from being displaced from their home of twenty-six years. (28)

From Denise D'Anne, submitting support for proposed legislation regarding landmark trees, significant trees and penalties for violations. File 051458, Copy: Each Supervisor (29)

From Stephen Harper, submitting support for bringing the USS Iowa to San Francisco. Copy: Each Supervisor (30)

From Ahimsa Sumchai, regarding alleged corruption by Arc Ecology that is linked to the proposed grant that was before the Redevelopment Agency on December 20, 2005. Copy: Supervisor Maxwell (31)

From Jonathon Kecskes, submitting newspaper article regarding "gun free" Washington D.C. (32)

From Charlene O'Neil, submitting several suggestions that would reduce the amount of litter on the streets of San Francisco. (33)

From Jamison Wieser, commenting on news article about Sony's graffiti PSP ad campaign (34)

From Mesha Monge-Irizarry, commenting on Police Department's new DVD entitled "rebuild the communities" of San Francisco. (35)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF MATTER CALLED OUT OF COMMITTEE

CITY AND SCHOOL DISTRICT SELECT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that pursuant to Rule 5.31 the following matter has been called out of the City and School District Select Committee by Supervisor Sandoval at the Board Meeting of January 17, 2006:

File No. 051580 Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

The Board will be meeting on January 24, 2006 at 2:00 p.m., in the Legislative Chamber on the second floor of City Hall to consider the above item.

The public will have an opportunity to speak during the public comment period of the Board's agenda.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Gloria L. Young, Clerk of the Board

DOCUMENTS DEPT.
JAN 19 2006
SAN FRANCISCO
PUBLIC LIBRARY

POSTED: January 19, 2006

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
JAN 19 2006
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PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 24, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Thursday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

1. 051942 **[Amendment to Paratransit Broker Agreement]**
Resolution approving Amendment No. 6 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to lease up to 20 accessible vans to the Contractor to be subleased to Lift Van/ADA Access service providers participating in the City's Paratransit Program.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

2. 052045 **[Proposition J Certification, Status Offender Shelter and Intake Services]**
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.
(Juvenile Probation Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 051983 **[Changing the official sidewalk width - Turk Street]**
Supervisor Daly
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

1/17/2006, PASSED ON FIRST READING. Supervisor Daly requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

4. 051984 **[Changing the official sidewalk width - Market, Main, and Spear Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)

1/17/2006, PASSED ON FIRST READING. Supervisor Daly requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

5. 051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

1/10/2006, CONTINUED. Continued to January 17, 2006.
1/17/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

6. 052043 **[Settlement of Lawsuit - Frank Euphrate, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051980 **[Unlitigated Claim against Pacific Gas and Electric Company]**
Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $615,222.78 for damages caused by power outage of December 20-21, 2003.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

8. 051986 **[Settlement of Claim - AMPCO System Parking]**
Resolution approving the settlement of the unlitigated claim for Parking Tax Refund filed by AMPCO System Parking against San Francisco for $93,134.80.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

9. 060101 **[Adopting findings related to affirming the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**
Motion adopting findings affirming the determination by the Planning Department that the proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

1/13/2006, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

10. 060059 **[Motion adopting findings related to the categorical exemption issued for 733 27th Avenue]**
Motion adopting findings related to the determination by the Planning Department that the 733 27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 051755, 051756, 051757, 051758.)

1/13/2006, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the City Operations and Neighborhood Services Committee

Present Supervisors McGoldrick, Dufty, Ma

11. 051903 **[Paratransit Reimbursement – Taxi Meter Rates]**
Supervisor Alioto-Pier
Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

1/10/2006, PASSED ON FIRST READING. Supervisor Daly, seconded by Supervisor Ammiano, moved to continue to January 24, 2006.
Motion to continue January 24, 2006:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, McGoldrick, Peskin, Sandoval
Excused: 1- Alioto-Pier
1/10/2006, CONTINUED. Continued to Janaury 24, 2006
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

12. 051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly
Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
1/10/2006, PASSED ON FIRST READING AS AMENDED.
1/17/2006, CONTINUED. Supervisor Mirkarimi previously excused from voting on this matter.

Continued to January 24, 2006
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

11. 051903 [Paratransit Reimbursement – Taxi Meter Rates]
Supervisor Alioto-Pier
Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

1/10/2006, CONTINUED. Continued to Janaury 24, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

12. 051637 [Subdivision Code – Planning Commission hearings on condominium conversions]
Supervisor Daly
Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
1/10/2006, PASSED ON FIRST READING AS AMENDED.
1/17/2006, CONTINUED. Supervisor Mirkarimi previously excused from voting on this matter.

Continued to January 24, 2006
Question: Shall this Ordinance be FINALLY PASSED?

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NEW BUSINESS

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

13. 051539 **[Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]**
Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

14. 051898 **[Appointment - Local Homeless Coordinating Board]**
Resolution appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.
(Controller)

Question: Shall this Resolution be ADOPTED?

CALLED FROM THE CITY AND SCHOOL DISTRICT SELECT COMMITTEE

Board of Supervisors Sitting as a Committee of the Whole

15. 060073 **[Hearing - S.F. Unified School District Superintendent Severance Package]**
Hearing to consider a proposed resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

16. 051580 **[Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package]**
Supervisor Sandoval
Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

9/20/2005, REFERRED to City and School District Select Committee. Supervisor Maxwell requested that this matter be referred to Committee.

1/17/2006, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Sandoval called this measure from City and School District Select Committee for Board consideration January 24, 2006

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

17. 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board. There were none.
Continued to January 17, 2006 at 4:00 p.m.

1/17/2006, CONTINUED. Continued to January 24, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

18. 051853 **[Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
Question: Shall this Motion be APPROVED?

19. 051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
Question: Shall this Motion be APPROVED?

20. 051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

21. **051936** **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.
(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)on

12/13/2005, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board.
Continued to January 24, 2006.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

22. **051937** **[Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006

Question: Shall this Motion be APPROVED?

23. **051938** **[Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006

Question: Shall this Motion be APPROVED?

24. **051939** **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 051991 **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)
(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

1/10/2006, CONTINUED. Continued to January 24, 2006.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

26. 051992 **[Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006.

Question: Shall this Motion be APPROVED?

27. 051993 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006.

Question: Shall this Motion be APPROVED?

28. 051994 [Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use Committee at a Regular Meeting on Thursday, January 19, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, January 24, 2006.

29. 051142 [Construction and Demolition Debris Recovery]
Mayor, Supervisors Ma, Sandoval
Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 051453 [Off-Street Parking In C-3 Zoning Districts]
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051818 **[Green Business Program]**

Supervisors Maxwell, Sandoval

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 34 through 39

34. 060067 **[Affirming the San Francisco's City of Refuge Ordinance and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act", HR 4437]**

Supervisors Daly, Sandoval

Resolution affirming the City and County of San Francisco's City of Refuge Ordinance and its commitment to providing a safe, healthy and dignified place to live for its immigrant communities, regardless of immigration status and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act" – HR 4437.

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 060068 [National Blood Donor Month]

Supervisor Ma

Resolution recognizing January 2006 as "National Blood Donor Month".

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 060069 [19th Avenue Signal Upgrades]

Supervisors Ma, Elsbernd

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue.

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 060070 [Commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments]

Supervisor Mirkarimi

Resolution commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments.

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 060071 [Endorsing Old Mint Grant Application]

Supervisor Peskin

Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds to assist in the seismic retrofit of the historic Old Mint as a central part of the effort to rehabilitate and restore the historic building and create therein a San Francisco History Museum and supporting continued site control by the San Francisco Museum and Historical Society of the Old Mint for such purposes.

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 060072 [Recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season]

Supervisor Sandoval

Resolution recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season.

1/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 10, 2006 through January 13, 2006, for reference by President to appropriate committee on January 24, 2006.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 10, 2006 through January 13, 2006, for reference by President to appropriate committee on January 24, 2006.

060048 [Public Auction]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)

1/10/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060049 **[Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to $4,378,351; for the period of July 1, 2005, through June 30, 2007.
(Public Health Department)

1/10/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060054 **[MUNI Operator Restrooms at Various Locations]**

Resolution granting revocable permission to Municipal Transportation Agency (MTA), to occupy a portion of the public right-of-way to install and maintain one (1) MUNI Operator Restroom at each of the following locations: within an existing traffic island on Geneva Avenue at Munich Street; on the westerly sidewalk of Main Street, southerly of Howard Street; on the easterly sidewalk of Main Street, northerly of Mission Street, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

1/12/2006, RECEIVED AND ASSIGNED to Land Use Committee.

060056 **[Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of $205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010.
(Public Health Department)

1/12/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060058 **[Contract approval - Municipal Transportation Quality Review]**

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed $50,000 and for a Charter Section 8A.107, for a total contract amount not to exceed $50,000 and for a term of two years, with an option to extend up to an additional two years to cover the nest review period.
(Municipal Transportation Agency)

1/12/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060102 [Petitions and Communications]

Petitions and Communications received from January 10, 2006 through January 13, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 24, 2006.

From Ethics Commission, regarding regulations adopted at the January 9, 2006 Meeting related to the-Commission's Regulations for Investigations and Enforcement Proceedings. (1)

From Office of the City Attorney, regarding the renovation of the Bernal Heights Branch Library. File 051928, Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to proposed legislation regarding the Better Neighborhoods Plus Ordinance. File 050601, Copy: Each Supervisor (3)

From Law Offices of Stephen Williams, submitting request for a one-week continuance of appeal of Categorical Exemption from Environmental Review of property located at 730 Great Highway. File 051852, Copy: Each Supervisor, City Attorney (4)

From Walter Caplan, submitting appeal opposing decision from Planning Department for exemption from environmental review for installation of a fire suppression system to an existing equipment building for Comcast at 1 La Avanzada Street. (5)

From Office of the City Attorney, submitting notice that appeal filed by Walter Caplan opposing decision from Planning Department for exemption from environmental review for installation of a fire suppression system to an existing equipment building for Comcast at 1 La Avanzada Street was filed in a timely manner. File 060007 (6)

From Office of the City Attorney, regarding the Department of Public Works decision denying tentative parcel map for property located at 901 Bush Street.
File 051751, Copy: Each Supervisor (7)

From Office of the City Attorney, submitting copy of letter sent to Mr. Kimo Crossman requesting more than 50 public record requests of City departments over the past several months. Copy: Each Supervisor, Sunshine Ordinance Task Force (8)

From Office of the Controller, inviting Supervisor Peskin or his designee to serve on the Policy Advisory Group for a vital planning effort underway at the Municipal Transportation Agency –Transit Effectiveness Project. (9)

From concerned citizens, withdrawing appeal of the Planning Department's decision to issue a general rule exclusion from environmental review for the proposed Off-Street Parking in C-3 Zoning Districts Ordinance. File 051996, Copy: Each Supervisor (10)

From Police Department, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for the Holiday Inn Golden Gateway. (11)

From Craig Wathen, submitting request for a Type 42 on-sale beer and wine public premises license for "City Beer Store" located at 1168 Folsom Street. (12)

From United Taxicab Workers, submitting support for proposed legislation authorizing City inspection of limousine waybills and providing for penalties against limousines operating as unlicensed taxicabs. File 051720, Copy: Each Supervisor (13)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests for

Perrin Rowe, Legislative Assistant to Supervisor Elsbernd. (14)

From Office of the Controller, submitting report concerning the financial review of the nonprofit Filipino-American Council of San Francisco. (15)

From Office of the Controller, submitting the audited Comprehensive Annual Financial Report for the 2004-05 fiscal year that ended June 30, 2005. (16)

From California Financial Service Providers, expressing concerns over the proposed zoning interim moratorium on new check cashing and payday lender uses. File 051721, Copy: Each Supervisor (17)

From Lily Siu, submitting opposition to the Planning Department's decision, approving Conditional Use Application on property located at 80 West Portal Avenue. File 051784 (18)

From Planning Association for the Richmond, submitting opposition to the Planning Department's decision, approving exemption from environmental review for property located at 733 27th Avenue. File 051755 (19)

From Supervisor Maxwell, submitting copy of memo sent to the Planning Commission on proposed changes to the inclusionary housing ordinance. (20)

From Department of Parking and Traffic, submitting notice that the graffiti from nine signs on Steiner Street between O'Farrell and Turk Streets has been removed. (Reference No. 20051025-003) Copy: Supervisor Mirkarimi (21)

From Department of Parking and Traffic, submitting notice that the graffiti from the street signs at the intersection of Oak and Baker Streets has been removed. (Reference No. 20051101-005) Copy: Supervisor Mirkarimi (22)

From Department of Parking and Traffic, submitting notice that the graffiti from the street signs along the north side of Oak Street between Fillmore and Webster Streets has been removed. (Reference No. 20051101-006) Copy: Supervisor Mirkarimi (23)

From Municipal Transportation Agency, regarding the feasibility of installing a flashing crosswalk light or some other traffic calming measures at the intersection of Lake Merced Boulevard and Lake Merced Hill. (Reference No. 20051108-007) Copy: Supervisor Mirkarimi (24)

From concerned citizens, submitting opposition to proposed legislation that requires Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Section 1396. File 051637 (25)

From concerned citizens, regarding homeownership in San Francisco. (26)

From Mary Ramirez, submitting opposition to legislation that eliminates the felony conviction disclosure requirement for prospective City employees. (27)

From Department of Parking and Traffic, submitting notice that the graffiti from the street parking signs on Fillmore Street between Fulton and Eddy Streets has been removed. (Reference No. 20051206-007) Copy: Supervisor Mirkarimi (28)

From Harvey Sherback, submitting copy of letter sent to the Port Commission entitled "The Port of San Francisco becomes a green utility", dated January 11, 2006. Copy: Each Supervisor (29)

From Comcast Cable, submitting notice that Comcast has begun providing a 30 day bill message notifying customers of the $0.52 pass through fee in support of the City's PEG capital and facilities costs. File 051005 (30)

From Sarah Kristol, concerning the special education programs in San Francisco public schools. (31)

From concerned citizens, regarding the closure of schools in San Francisco. (32)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO ON THE PROPOSED RESOLUTION AMENDING THE ARTICLES OF FORMATION OF THE SOUTH OF MARKET PROJECT AREA COMMITTEE TO REQUIRE NEW ELECTIONS AND TO ADD A REPRESENTATIVE WHO SHALL BE A PARENT OF A STUDENT OF THE BESSIE-CARMICHAEL SCHOOL AS A CATEGORY OF MEMBERSHIP THEREOF

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco (the "Board") will hold a public hearing on Tuesday, **January 31, 2006 at 3:00 P.M,** in the Legislative Chamber (Room 250) located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California pursuant to the provisions of Section 33385(b)(3) of the California Health and Safety Code Section 65090(a) of the California Government Code.

The purpose of said hearing is to hear all persons interested in the matter of the proposal to modify the Articles of Formation for the of the South of Market Project Area Committee ("SOMPAC") to (1) require new elections, and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership of the SOMPAC. As proposed, a new election would be held within 90 days following the effective date of the resolution, and the election would be conducted in accordance with the "Procedures for the Election of Members to Redevelopment Project Area Committees in the City and County of San Francisco" approved and adopted by the Board of Supervisors on November 25, 1996 by Resolution No. 1087-96. Further details located in File No. 052022.

For more details, go to www.sfgov.org/bdsupvrs or call (415) 554-5184

Gloria L. Young
Clerk of the Board

DATED: January 19, 2006

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JAN 19 2006

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 31, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

1. 050960 **[Liquor License, 585 Columbus Avenue]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jeffrey Branco for Paired Wines and Spirits dba as Coit Liquors located at 585 Columbus Avenue, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

2. **051915** **[Rescind Tow-away on Columbus Avenue]**

Supervisor Peskin

Resolution rescinding parking regulations on the 200 Block of Columbus Avenue.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Columbus Avenue, east side, between Pacific Avenue and Broadway
12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Question: Shall this Resolution be ADOPTED?

3. **051945** **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND
Eddy Street, eastbound, requiring the center lane to turn right at Cyril Magnin Street, eliminating multiple left turn condition.

BICYCLE LANES - ESTABLISH
Market Street, south side, eastbound, from McCoppin Street to Valencia Street
(Parking and Traffic Department)
11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Question: Shall this Resolution be ADOPTED?

4. **051955** **[Parking Regulations]**

Supervisor Peskin

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR PARKING – RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING – ESTABLISH
Grant Avenue, both sides, between Vallejo and Filbert Streets
(11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

5. **052019** **[Accept-Expend Federal Grant - Police Department]**

Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds in the amount of $225,542 made available through the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for a project entitled Secure Our Schools.

Question: Shall this Resolution be ADOPTED?

6. 052042 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Mangels at Colon Avenues, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3111.)

Question: Shall this Resolution be ADOPTED?

7. 052048 **[Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

8. 052049 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly.
(Parking and Traffic Department)
(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

Question: Shall this Resolution be ADOPTED?

9. 052050 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;
Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;
Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection; and,
York Street at Peralta Avenue, stopping the stem of this T-intersection.
(Parking and Traffic Department)

(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

12/29/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

Question: Shall this Resolution be ADOPTED?

10. 052051 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN EXCEPT MUNI - ESTABLISH
Market Street, southbound, at Clayton Street.

NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH
Potrero Avenue, northbound, at 22nd Street.
(Parking and Traffic Department)

(12/22/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

11. 051142 **[Construction and Demolition Debris Recovery]**
Mayor, Supervisors Ma, Sandoval
Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

1/24/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

12. 051818 **[Green Business Program]**
Supervisors Maxwell, Sandoval
Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

1/24/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

13. 052043 **[Settlement of Lawsuit -Frank Euphrate, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/24/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Elsbernd

14. 060051 [Appointment - SOMA Community Stabilization Fund Community Advisory Committee]

Resolution appointing Rudy Corpus, Jr., Conny Ford, Jazzie Collins, Ada Chan, Donald Frazier, Kelly Wilkinson, and Steven Sarver, for a term to be determined, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

Rudy Corpus, Jr., new appointment, seat 1, must be representative for low-income families who lives with his or her family in SOMA, for a term to be determined by lot.
Conny Ford, new appointment, seat 2, must have expertise in employment development and/or represents labor, for a term to be determined by lot.
Jazzie Collins, new appointment, seat 3, must be a senior or disabled resident of SOMA, for a term to be determined by lot.
Ada Chan (residency requirement waived), new appointment, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for a term to be determined by lot.
Donald Frazier, new appointment, seat 5, must represent a community-based organization in SOMA, for a term to be determined by lot.
Kelly Wilkinson, new appointment, seat 6, must provide direct services to SOMA families, for a term to be determined by lot.
Steven Sarver, new appointment, seat 7, must have small business expertise and a familiarity with the SOMA neighborhood, for a term to be determined by lot.

Question: Shall this Resolution be ADOPTED?

15. 060052 [Appointment - Western SOMA Citizens' Planning Task Force]

Resolution appointing Daniel Becco, term ending November 23, 2007, to the Western SOMA Citizens' Planning Task Force.

Daniel Becco, new appointment, seat 17, must represent labor, for the unexpired portion of a three-year term ending November 23, 2007.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto
Consideration to override veto pursuant to Charter Section 2.106 of Ordinance to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

16. 051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly
Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.
NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 20, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
1/10/2006, PASSED ON FIRST READING AS AMENDED.
1/17/2006, FINALLY PASSED.
Action:_____

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty

17. 051759 **[Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]**
Supervisors Alioto-Pier, Peskin, Daly, Dufty
Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.
(Assessor-Recorder)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 060048 **[Public Auction]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

19. 052052 **[Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**
Supervisors Ma, McGoldrick
Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 060026 **[Condemning the persecution of Falun Gong practitioners]**
Supervisors Daly, Ma
Resolution condemning the persecution of Falun Gong practitioners and expressing the position of the City and County of San Francisco to Federal Officials, urging federal officials and the State Department to follow United States Congress Resolution 304, and stating that the views expressed by Falun Gong practitioners are not officially sanctioned by the City and County of San Francisco.
(Supervisor McGoldrick dissenting in committee)

Question: Shall this Resolution be ADOPTED?

21. 060027 **[Change the name of 16th Street between Pond Street and Prosper Street in the Castro to José Sarria Court]**

Supervisors Dufty, Ammiano, Ma, Mirkarimi, Daly, McGoldrick

Resolution changing the name of 16th Street between Pond Street and Prosper Street in the Castro to "José Sarria Court," in recognition of José Sarria, who is one of the most heroic, courageous, and colorful and creative figures in San Francisco's history.

Question: Shall this Resolution be ADOPTED?

22. 051944 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
285 Dorland Street, south side, between the driveways of #285 and #295 Dorland Street (establishes three motorcycle parking spaces in this 14.5 foot space).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Folsom Street, west side, between Cesar Chavez Street and 26th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Mississippi Street, west side, north of 25th Street to the terminus

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Green Street, south side, from Battery Street to 140 feet westerly; and,
Green Street, south side, from Sansome Street to 16 feet easterly.

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY- ESTABLISH
Ellis Street, both sides, between Van Ness Avenue and Franklin Street

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -ESTABLISH
Portola Drive, south side, between Fowler Avenue and Evelyn Way and between Teresita and O'Shaughnessy Boulevards

1-HOUR TIME LIMIT PARKING - RESCIND
PARKING METER AREA 1, 7AM TO 6PM, 2-HOUR, MONDAY THROUGH SATURDAY - ESTABLISH
Tehama Street, north side, between 1st Street and 140 feet west of 2nd Street (Unit and 100 block)
Clementina Street, south side, between 1st and 2nd Streets (Unit block)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Octavia Street off-ramp to Valencia Street

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Market Street, south side, from 151 feet west of Valencia Street to McCoppin Street

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, EXCEPT SATURDAY – RESCIND
Market Street, south side, from Valencia Street to 151 feet westerly

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mars Street, both sides, between 17th and Corbett Streets (Unit block)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, east side, between Haight and Page Streets (200 block)

STREET CLOSURE - ESTABLISH
Jack Kerouac Alley, between Grant and Columbus Avenue (permanent closure to automobile traffic).

SIDEWALK WIDTH - EXTENSION
Mission Street and 18th Street intersection, northwest and southeast corners (sidewalk would be widened by five feet by installing new corner bulbs)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McKinnon Avenue, north side, between Toland and Selby Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Waterville Street terminus (200 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Church and Sanchez Streets (200 block)

TOW-AWAY, NO STOPPING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Trumbull Street, north side, from Congdon Street to 100 feet easterly.
(Parking and Traffic Department)
11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mirkarimi, Peskin

23. 051963 **[Memorandum of Understanding - Local 21, AFL-CIO]**
Mayor
Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

24. 051676 **[24th Street – Noe Valley Neighborhood Commercial District – full-service restaurants and bars]**
Supervisor Dufty
Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street – Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee "Without Recommendation"

Present: Supervisors Mirkarimi, Elsbernd

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be considered at least one week.)

25. 052008 [Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]

Supervisor Elsbernd

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

26. 060082 **[Public Hearing - Resolution amending the Articles of Formation of the South of Market Project Area Committee]**

Hearing to consider a proposed resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area.

(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

From the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd

27. 052022 **[Amending the Articles of Formation of the South of Market Project Area Committee to Require new elections]**

Supervisor Daly

Resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 060114.)

28. **060075** **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

29. **060074** **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

30. 052035 **[Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).

(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

1/17/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board.

Continued to January 31, 2006.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 052036 [Affirming the categorical exemption issued for 1043-1045 Francisco Street]
Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

1/17/2006, CONTINUED. Continued to January 31, 2006

Question: Shall this Motion be APPROVED?

32. 052037 [Disapproving the categorical exemption issued for 1043-1045 Francisco Street]
Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

1/17/2006, CONTINUED. Continued to January 31, 2006

Question: Shall this Motion be APPROVED?

33. 052038 [Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

1/17/2006, CONTINUED. Continued to January 31, 2006

Question: Shall this Motion be APPROVED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 50

36. 060114 **[Emergency Disadvantaged Business Enterprise Program - January 31, 2006, Committee of the Whole]**

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on January 31, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 060110 **[Commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition]**

Supervisors Dufty, Maxwell, Ammiano

Resolution commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition for their leadership in convening the Black Church Summit and in seeking equality for lesbian, gay, bisexual and transgendered members of the African-American community.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 060111 **[Commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department]**

Supervisor Dufty

Resolution commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 060112 **[Commending Lost in the Fog and owner Harry J. Alco for winning the Eclipse Award as the year's champion sprinter]**

Supervisor Dufty

Resolution commending Lost in the Fog and owner Harry J. Alco for winning the Eclipse Award as the 2006 champion sprinter in the United States.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. **060113** **[Supporting the Musicians of the San Francisco Symphony]**
Supervisor Ma
Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. **060115** **[Supporting Immigrant and Human Rights]**
Supervisors Maxwell, Peskin
Resolution affirming the City and County of San Francisco's support for immigrant and human rights in the face of growing border vigilantism.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. **060116** **[Recognizing the month of February as Black History Month]**
Supervisor Maxwell
Resolution recognizing the month of February as Black History Month.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. **060117** **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Maxwell
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $430,500 from the Bay Area Air Quality Management District to retrofit diesel engines in forty-one (41) Heavy Duty Vehicles (HDV) with diesel emission control equipment.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. **060118** **[Approval of Port Lease for Living Classroom at Heron's Head Park]**
Supervisor Maxwell
Resolution approving the Lease between the San Francisco Port Commission and Literacy for Environmental Justice, a non-profit organization, for the Living Classroom Project, located at Heron's Head Park, for a total term of ten years.

1/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060120 **[Blue Diamond Growers]**

Supervisors McGoldrick, Dufty, Mirkarimi

Resolution supporting the workers of Blue Diamond Growers and their efforts to join the International Longshore and Warehouse Union Local 17 (ILWU) and condemning Blue Diamond for waging an aggressive anti-union campaign and violating the National Labor Relations Act.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**

Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 060122 **[Zoning - Extension of Planning Commission Review Period]**

Supervisor Mirkarimi

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map in order to reclassify both sides of the 600 Block of Haight Street to NC-2 (Small-Scale Neighborhood Commercial District).

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060123 **[Opposing the Closure to John Swett Alternative School]**

Supervisors Mirkarimi, Daly, Ammiano

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060124 **[Welcoming Qantas Airways to San Francisco]**

Supervisor Peskin

Resolution commending Qantas Airways on new service to San Francisco International Airport, starting Mach 29, 2006 and welcoming the new airline to San Francisco.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. **060125** **[1906 Great Earthquake and Fire Expo Endorsement]**
Supervisor Peskin
Resolution endorsing the San Francisco Fire Department and Historical Society 1906 Great Earthquake and Fire Expo and declaring said Expo an official event of the City's Centennial observances.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 13, 2006 through January 23, 2006, for reference by President to appropriate committee on January 31, 2006.

060097 [Settlement of Lawsuit - Maria Castillo]
Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/23/2006, RECEIVED AND ASSIGNED to Rules Committee

060099 [Settlement of Lawsuit and Grievance - Gary Thompson]
Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143.
(City Attorney)

1/23/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 13, 2006 through January 23, 2006, for reference by President to appropriate committee on January 31, 2006.

060094 [Contract funds to develop an electronic reporting system for results of hepatitis testing]
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of $141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006.
(Public Health Department)

1/20/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060095 [Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM]
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006.
(Public Health Department)

1/20/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060096 [Lease of Real Property located at One Market Plaza]
Resolution authorizing the renewal of a lease of 20,677 sq. ft. of space including related auxiliary spaces at One Market Plaza for the Department of Telecommunications and Information Services.
(Real Estate Department)

1/23/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060128 **[Petitions and Communications]**

Petitions and Communications received from January 13, 2006 through January 23, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 31, 2006.

From Gerry Tseng-Gill, urging the Board of Education to make its decision about closing and/or merging schools now, and reject any money offered by the Supervisors to keep the schools open for another year. File 060011, Copy: Each Supervisor (1)

From concerned citizens, submitting support for proposal to advance $5.3 million to the San Francisco Unified School District to halt the current closure and merger process. File 060063, Copy: Each Supervisor (2)

From Valerie Bianquis, urging the Board of Supervisors to support keeping Daniel Webster Elementary School on Potrero Hill open. Copy: Supervisor Maxwell (3)

From James Chaffee, submitting letter entitled "Board Non-compliance with Open Government Provisions". Copy: Each Supervisor, Sunshine Ordinance Task Force (4)

From Clerk of the Board, responding to James Chaffee's letter entitled "Board non-compliance with Open Government Provisions". Copy: Each Supervisor, City Attorney, Sunshine Ordinance Task Force (5)

From CCSF Employees' Retirement System, submitting the employer retirement contribution rates adopted for fiscal year 2006-07. (6)

From concerned citizens, submitting request for a one-week continuance of appeal for property at 730 Great Highway. File 051852, Copy: Each Supervisor, City Attorney (7)

From P. Carnahan, regarding the San Francisco Zoological Society that recently raised admission fees for San Francisco residents in violation of its lease and management agreement with the City. Copy: Each Supervisor, Recreation and Park Department (8)

From Harold Stein, Jr., regarding the current anti-business legislation in San Francisco. (9)

From State Department of California Highway Patrol, submitting notice that the exemption granted to the S.F. Fire Department to operate their ambulances without the required spare tire and jack has expired (12/31/05); and operation of those vehicles without the required equipment is in violation of the established regulations. Copy: Fire Department (10)

From California Environmental Protection Agency, submitting a 45-day public notice and comment period for the "Unified Program Single Fee System" for California State Agencies. (11)

From concerned citizens, submitting opposition to the proposed "Better Neighborhoods" ordinance. File 050601, Copy: Each Supervisor (12)

From San Francisco Beautiful, submitting suggestions for neighborhood planning and the implementation process in San Francisco. File 050601, Copy: Each Supervisor (13)

From Prazzi Prassann, regarding trees being topped off in the Fisherman's Wharf area (Columbus Avenue/Leavenworth Street; North Point/Jones/Taylor/Beach Streets. Copy: Each Supervisor (14)

From Office of the Mayor, submitting his veto of File 051822, "Residential Housing Purchaser Protection Ordinance" which alters existing disclosure requirements for property owners. Copy: Each Supervisor, City Attorney (15)

From Clerk of the Board, submitting Form 700 Statement of Economic interests for Sheryl Davis, Legislative Assistant to Supervisor Mirkarimi (16)

From Reddy Lieb, submitting support for the Neighborhood Emergency Response training program (N.E.R.T.) provided by the San Francisco Fire Department. (17)

From Planning Department, submitting the Planning Commission's hearing results for the October 25, 2005 meeting. File 050601, Copy: Each Supervisor (18)

From Department of Public Works, submitting notice that the following potholes have been repaired: 248 Divisadero, 520 Divisadero, 656 Lyon, 141 Broderick, 763 Broderick. (Reference No. 20060110-004) Copy: Supervisor Mirkarimi (19)

From Department of Public Works, submitting notice that the graffiti from various locations has been removed. (Reference No. 20051115-004) Copy: Supervisor Mirkarimi (20)

From Department of Public Works, submitting notice that request for restriping of various crosswalks has been forwarded to the Department of Parking and Traffic. (Reference No. 20060110-006) Copy: Supervisor Mirkarimi (21)

From Department of Public Works, submitting notice that request for repainting the crosswalks at the intersection of Fulton/Lyon Streets and Fulton/Baker Streets has been forwarded to the Department of Parking and Traffic. (Reference No. 20060110-007) Copy: Supervisor Mirkarimi (22)

From Department of Public Works, submitting notice that the pothole at 1423 Irving Street has been repaired. (Reference No. 20051122-002) Copy: Supervisor Mirkarimi (23)

From Department of Public Works, regarding request for sidewalk repair at the northeast corner of Scott and O'Farrell Streets. (Reference No. 20051213-005) Copy: Supervisor Mirkarimi (24)

From Department of Public Works, regarding request for tree pruning along Oak Street, between Pierce and Scott Streets and O'Farrell Street, between Pierce and Scott Streets. (Reference No. 20051213-003) Copy: Supervisor Mirkarimi (25)

From Thomas Howley, urging the Board of Supervisors to help keep the Bernal Heights Preschool open. (26)

From Harry Moss, submitting opposition to proposed legislation limiting parking in new construction projects. File 051453, Copy: Supervisor Daly, Land Use members (27)

From Mesha Monge-Irizarry, concerning the arrest of Ace Washington. (28)

From Department of Public Health, submitting the quarterly report on AIDS cases reported through December 2005. (29)

From Jane Wong, regarding the dangerous driving conditions around Laguna Honda Hospital. Copy: Supervisor Elsbernd (30)

From concerned citizens, submitting support for the Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years and 50% renewable energy generation by 2017. (31)

From Ava Berg, concerning her unfortunate experience while visiting San Francisco. Copy: Supervisor Daly (32)

From concerned citizens, submitting opposition to proposed legislation imposing parking restrictions in C-3 zoning districts, anti-development and anti homeownership measures in San Francisco. File 051996 (33)

From Sister Miriam Walsh, submitting copy of letter sent to the Mayor regarding filling Laguna Honda Hospital with so-called "hard-to-place" patients and turning away seniors that are forced to go out of the City to other counties and other states for care. Copy: Each Supervisor (34)

From Marianne Schier, regarding lack of homeownership opportunities for middleclass families in San Francisco. File 051637, Copy: Each Supervisor (35)

From concerned citizens, submitting support for a moratorium on wireless communications antennas in San Francisco. File 051798, Copy: Government Audit and Oversight Committee (36)

From concerned citizens, submitting support for bringing the USS Iowa to San Francisco. (37)

From SF District Corps of Engineers, submitting notice that public comment for the increasing time it takes to develop, review, and approve individual mitigation bank proposals has been extended to February 13, 2006. (38)

From State Department of California Highway Patrol, submitting the Hazardous Materials Incident Report for January 2006. (39)

From Comcast Cable, submitting notice that effective February 9, 2006 the Golf Channel will be relocated to channel 80. (40)

From Sandra Luna, extending her gratitude to the Board of Supervisors for adjourning its regular meeting of November 22, 2005 out of respect for the memory of her father, Dante Benedeti. (41)

From Sean Patrick Monette-Shaw, submitting copy of immediate disclosure request sent to the Controller regarding various issues related to the Laguna Honda Hospital Replacement Project. Copy: Each Supervisor (42)

From Denise D'Anne, submitting opposition to bringing the USS Iowa to San Francisco. Copy: Each Supervisor (43)

From Gina Limon, regarding the treatment she received by the police officers when she reported her purse stolen from her place of employment by one of her clients. Copy: Supervisor Daly, Police Department (44)

From Shannon Seaberg, submitting support to impeach President Bush. (45)

From Redevelopment Agency, submitting its financial and performance reports for the quarter ended September 30, 2005. (46)

From Alex Lantsberg, submitting a short paper discussing "Greening" San Francisco through innovative water management practices. File 050601, Copy: Each Supervisor (47)

From Plant SF, thanking the Board of Supervisors for resolution commending the work of Plant SF, Sidewalk Pocket Park Gardens and other projects that promote community-based permeable landscaping and public open-space gardens. File 051738 (48)

APPOINTMENTS BY THE MAYOR
Fire Commission
Paul Conroy
Small Business Commission
Gus Murad
Richard Ventura
Juvenile Probation Commission
Susana Rojas
Dirk J. Beijen

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

January 26, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance raising taxi fares and the cap on gate fees; re-instating the cap on taxicab lease fees; providing for biennial review of the lease fee cap	060077	Budget and Finance Committee	Supervisor Ma	1/24/06	2/24/06
Ordinance amending Administrative Code Section 3.20, regarding the Capital Expenditure Plan; timeline amendments for initial submission and approval.	060078	Budget and Finance Committee	Supervisor Elsbernd	1/24/06	2/24/06
Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee.	060081	Budget and Finance Committee	Supervisors Alioto-Pier, Dufty	1/24/06	2/24/06
Ordinance amending Public Works Code Section 170 regarding enclosure of garbage receptacles.	060083	City Operations and Neighborhood Services Committee	Supervisor McGoldrick	1/24/06	2/24/06
Ordinance amending Planning Code amending the requirements of the Inclusionary Affordable Housing Program.	060084	Land Use Committee	Supervisors Maxwell, Mirkarimi, McGoldrick	1/24/06	2/24/06
Ordinance amending Administrative Code, providing for public notice of installation of community safety cameras.	060086	Rules Committee	Supervisor Mirkarimi	1/24/06	2/24/06

Ordinance to make technical amendments to designate the Executive Director of SF Film Commission as the sole liaison between film companies and City departments	060065	Government Audit and Oversight Committee	Supervisor Alioto-Pier	1/17/06	2/17/06
Ordinance amending the SF Police Code Section 209 to allow pawnbrokers to operate on Sundays and on Mondays following a holiday	060013	City Operations and Neighborhoods Committee	Supervisor Ma	1/10/06	2/10/06
Ordinance amending SF Health Code to change the title from "Nuisance" to "Neighborhood Sanitation and Housing Habitability"	060029	City Operations and Neighborhoods Committee	Supervisors Mirkarimi, Peskin	1/10/06	2/10/06
Ordinance approving contract between CCSF and American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space	060031	Budget and Finance Committee	Supervisor Dufty	1/10/06	2/10/06
Ordinance amending SF Planning Code Sections 209.3, 217, 790.141 and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility or recreation building	060032	Land Use Committee	Supervisor Mirkarimi	1/10/06	2/10/06
Ordinance amending SF Campaign and Government Conduct Code section 1.114 to prohibit corporations from making campaign contributions for City elective office	060033	Rules Committee	Supervisor Peskin	1/10/06	2/10/06
Ordinance amending SF Planning Code section 123 to provide that residential parking does not apply to the maximum gross floor area in C-3 districts.	060036	Land Use Committee	Supervisor Alioto-Pier	1/10/06	2/10/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT
FEB - 6 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 7, 2006 2:00 PM

Regular Meeting

SF
590
#63
2/7/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for January 17, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty

1. 051759 **[Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]**
Supervisors Alioto-Pier, Peskin, Daly, Dufty, Maxwell, Mirkarimi, Ma
Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.
(Assessor-Recorder)

1/31/2006, PASSED ON FIRST READING. Supervisors Maxwell, Mirkarimi and Ma requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 052052 **[Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**

Supervisors Ma, McGoldrick

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers.
(Parking and Traffic Department)

1/31/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 051676 **[24th Street – Noe Valley Neighborhood Commercial District – full-service restaurants and bars]**

Supervisor Dufty

Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street – Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

1/31/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mirkarimi, Peskin

4. 051963 **[Memorandum of Understanding - Local 21, AFL-CIO]**
Mayor
Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.
(Fiscal impact.)

1/31/2006, PASSED ON FIRST READING. Settlement agreement was amended.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

5. 051142 **[Construction and Demolition Debris Recovery]**
Mayor, Supervisors Ma, Sandoval
Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

1/24/2006, PASSED ON FIRST READING.
1/31/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd

6. **060052** **[Appointment - Western SOMA Citizens' Planning Task Force]**

Resolution appointing Daniel Becco, term ending November 23, 2007, to the Western SOMA Citizens' Planning Task Force.

Daniel Becco, new appointment, seat 17, must represent labor, for the unexpired portion of a three-year term ending November 23, 2007.

1/31/2006, CONTINUED. Continued to February 7, 2006

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd

7. **052008** **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**

Supervisors Elsbernd, Ma

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

1/31/2006, CONTINUED. Continued to February 7, 2006
Supervisor Ma requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

8. 051773 [Public Financing for Mayoral Candidates]
Supervisors Mirkarimi, Maxwell, Ammiano, Daly, McGoldrick
Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 060030 [Weights and Measures–Registration and Inspection Fees]
Mayor
Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 060064 [2006 Finance Corporation Equipment Program]
Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 13 (Series 2006A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,750,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

11. 051443 **[Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making clerical changes]**

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Sandoval, McGoldrick, Peskin

12. 051453 **[Off-Street Parking In C-3 Zoning Districts]**
Supervisors Peskin, Daly, Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Sandoval, McGoldrick

13. 050601 **[Better Neighborhoods Plus Planning and Implementation Process]**
Supervisors McGoldrick, Maxwell
Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

1/17/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/17/2006, RE-REFERRED to Land Use Committee. Rereferred to Committee as amended.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd

14. 051473 **[Rule Amendment – Recessed Meetings]**
Supervisor Peskin
Motion amending the Rules of Order of the Board of Supervisors by adding Rule 4.39, which provides that when the Board of Supervisors, or one of its committees, recesses a meeting to a time more than twelve hours after the decision to recess, the members shall identify the items being recessed, and direct the Clerk of the Board to process the remaining, decided items on the agenda as completed business; during the reconvened meeting, the Board or the committee shall not consider those items already processed by the Clerk as completed business; and amending Rule 4.37 to provide that Rule 4.39 may not be suspended.

Question: Shall this Motion be APPROVED?

15. 051682 **[Amending Rules 3.7 and 3.8 of the Rules of Order of the San Francisco Board of Supervisors governing the reporting of legislation from Board Committees to the Board]**
Supervisor Peskin
Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting.

Question: Shall this Motion be APPROVED?

16. **060035** **[Rules of Order of the Board - Land Use and Economic Development Committee]**
Supervisor Peskin
Motion amending the Rule of Order 5.5 renaming the Land Use Committee the "Land Use and Economic Development Committee".

Question: Shall this Motion be APPROVED?

17. **060045** **[Rules of Order of the Board - Budget and Finance Committee]**
Supervisor Peskin
Motion amending the Rule of Order 5.1, establishing size, membership and jurisdiction of the Budget and Finance Committee.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be considered at least one week.)

18. **052010** **[Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District]**
Supervisor Daly
Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

19. 051852 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board. There were none.
Continued to January 17, 2006 at 4:00 p.m.

1/17/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to January 24, 2006

1/24/2006, CONTINUED. President inquired as to whether or not any member of the public wished to address the Board.

Continued to February 7, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 051853 [Affirming the categorical exemption issued for 730 Great Highway]
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

21. 051854 [Disapproving the categorical exemption issued for 730 Great Highway]
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

22. 051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

23. 051936 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.
(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)

12/13/2005, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board
Continued to January 24, 2006.
1/24/2006, CONTINUED. President inquired as to whether or not any member of the public wished to address the Board.

Continued to February 7, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

24. 051937 **[Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

25. 051938 **[Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

26. **051939** **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

12/13/2005, CONTINUED. Continued to January 24, 2006

1/24/2006, CONTINUED. Continued to February 7, 2006

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M

27. 051991 **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)
(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

1/10/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. 051992 **[Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Motion be APPROVED?

29. **051993** **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006

1/24/2006, CONTINUED. Continued to February 7, 2006

Question: Shall this Motion be APPROVED?

30. **051994** **[Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting.
(Clerk of the Board)

1/10/2006, CONTINUED. Continued to January 24, 2006

1/24/2006, CONTINUED. Continued to February 7, 2006

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, February 2, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 7, 2006.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be considered at least one week.)

31. 052011 **[Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port property; capital and financial plans]**

Supervisor Peskin

Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.

Question: Shall this Charter Amendment be SUBMITTED?

32. 052009 **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]**

Supervisors Daly, Ammiano, Maxwell, Mirkarimi

Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, February 6, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 7, 2006.

33. 051141 [Public Works Construction - Use of Recycled Content Materials]
Mayor, Supervisor Ma
Ordinance amending Chapter 6 of the Administrative Code by amending section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

36. 051360 [Legislative Analyst Request - Means Testing]
Supervisor Elsbernd
Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.

8/2/2005, CONTINUED. Continued to February 7, 2006

Question: Shall this Motion be APPROVED?

37. 060144 **[Legislative Analyst Request - Student Housing Regulations]**
Supervisor Elsbernd
Motion requesting the Legislative Analyst to prepare a report on the following issue(s): As the need for student housing at San Francisco State University expands, area residents have expressed concerns regarding regulations. What policies do the cities of Berkeley, Santa Clara and Santa Cruz have in place to ensure the peaceful co-existence of students, universities, and area residents?

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 38 through 49

38. 060113 **[Supporting the Musicians of the San Francisco Symphony]**
Supervisor Ma
Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/31/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
1/31/2006, CONTINUED AS AMENDED.
Question: Shall this Resolution be ADOPTED?

39. 060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick
Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/31/2006, CONTINUED. Continued to February 7, 2006
Question: Shall this Resolution be ADOPTED?

40. 060123 **[Opposing the Closure to John Swett Alternative School]**
Supervisors Mirkarimi, Daly, Ammiano
Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/31/2006, CONTINUED. Continued to February 7, 006
Question: Shall this Resolution be ADOPTED?

41. 060153 **[Supporting Compassionate Use of Medical Cannabis]**

Supervisors Ammiano, Mirkarimi, Peskin

Resolution supporting the compassionate use of medical cannabis for patients while in the custody of the City and County of San Francisco and other California counties, and reaffirming the right of Steven Wynn Kubby who requires the medicinal use of marijuana to remain in good health while in custody in the Placer County jail.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060154 **[Extension of Arts Task Force]**

Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through the implementation of the Arts Task Force recommendations.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060155 **[Supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the State's continued reliance on aging nuclear facilities]**

Supervisor Ammiano

Resolution supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the state's continued reliance on aging nuclear facilities and to support the planning for our state's energy needs and decrease any risks from a radioactive release due to an act of terrorism, malice or insanity, or to earthquake or age-related accidents.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 060156 **[Investigate and Impeach President Bush and Vice President Cheney]**

Supervisor Daly

Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060157 **[Urging State Legislature and Governor to include funding in any state infrastructure bond placed before the voters in 2006]**

Supervisors Daly, Dufty

Resolution urging the State Legislature and the Governor to include funding for the Caltrain downtown extension/Transbay Terminal Project and the Statewide High Speed rail system in any state infrastructure bond placed before the voters in 2006.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 060158 **[Commending Joseph B. Williams]**

Supervisors Dufty, Maxwell

Resolution commending Joseph B. Williams on an outstanding career of law and Civic activism and wishing him the best of luck in all of his future endeavors.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 060159 **["National Black HIV/AIDS Awareness Day" in San Francisco]**

Supervisors Maxwell, Dufty, Mirkarimi

Resolution proclaiming February 7th, 2006 as "National Black HIV/AIDS Awareness Day" in San Francisco.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060160 **[Supporting transparency and accountability in setting refuse collection rates]**

Supervisor Peskin

Resolution urging the Director of the Department of the Environment and the Director of the Department of Public Works to develop a detailed cost projection for proposed expenditures from the Solid Waste Impound Account over the proposed 2006-2011 residential refuse rate period and to make these materials available for review by the public.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060161 **[Urging Governor Arnold Schwartzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot]**

Supervisor Sandoval

Resolution urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot.

1/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 24, 2006 through January 30, 2006, for reference by President to appropriate committee on February 7, 2006.
None

PROPOSED RESOLUTIONS

Proposed resolutions received from January 24, 2006 through January 30, 2006, for reference by President to appropriate committee on February 7, 2006.

060119 **[Option Agreement for Sale of Surplus Property]**
Resolution approving an Option Agreement for sale of surplus lands located in Mountain View, Santa Clara County, California, under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") to KMJ Urban Communities, LLC, a California limited liability company; adopting findings pursuant to the California Environmental Quality Act; and authorizing the Director of Property or the General Manager of the SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

1/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060129 **[Emergency contract to contain and abate hazardous material at the MUNI Woods Facility]**
Resolution approving an emergency public work contract to contain and abate a hazardous material diesel fuel spill at the MUNI Woods Facility.
(Public Works Department)

1/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060130 **[Emergency replacement of chiller at San Francisco General Hospital]**
Resolution approving an emergency public work contract of the replacement of a chiller at San Francisco General Hospital.
(Public Works Department)

1/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060131 **[Modification of Easement Deed]**
Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California.
(Real Estate Department)

1/30/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060179 [Petitions and Communications]

Petitions and Communications received from January 24, 2006 through January 30, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 7, 2006.

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Sections 12B and 12C for the Ramada Plaza International. (1)

From Law Offices of Stephen Williams, regarding continuance of appeal for property located at 730 Great Highway. File 051852, Copy: Each Supervisor (2)

From Michael Faklis, regarding the need for public access television oversight review and reform. Copy: Each Supervisor (3)

From Municipal Transportation Agency, regarding changing the name of 16th Street, between Pond and Prosper Streets to Jose Sarria Court. (4)

From Law Offices of Hanson and Bridgett, submitting materials regarding the Planning Department's decision to exempt categorically from CEQA review the addition of a master suite on the second floor of property located at 1043-45 Francisco Street. File 052035, Copy: Each Supervisor (5)

From Breall & Breall, LLP, regarding the grant agreement between CCSF and the Chinese Chamber of Commerce/Chinese New Year Parade, July 1, 2005 through June 30, 2006. File 060019, Each Supervisor, City Attorney (6)

From Office of the Treasurer & Tax Collector, submitting the Bureau of Delinquent Revenue quarterly report for October 1, 2005 through December 31, 2005. (7)

From Office of the City Administrator, regarding the steps being taken to reorganize departments, per Section 14(b) of the Annual Appropriation Ordinance. Copy: Each Supervisor (8)

From Alice B. Toklas Democratic Club, submitting support for proposed legislation to implement public financing of mayoral elections in San Francisco. File 051773, Copy: Budget Committee (9)

From Charles Marsteller, submitting list of the participants in the Better Neighborhoods Plus Consensus Working Group. File 050601, Copy: Land Use Committee (10)

From Charles Marsteller, submitting copy of the Seattle Neighborhoods Planning Element. File 050601, Copy: Land Use Committee (11)

From Planning Department, regarding the Categorical Exemption from environmental review for 1043-1045 Francisco Street. File 052035, Copy: Each Supervisor, City Attorney (12)

From concerned citizens, submitting opposition to the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; and the transfer of jurisdiction from the Department of Public Works to the Recreation and Parks Department. Files 050852, 050851 (13)

From Civil Service Commission, regarding Civil Service Commission and the Department of Human Resources reviewing and revising current policies and procedures so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment. (Reference No. 20060110-015) Copy: Supervisor Ammiano (14)

From SF Environment, submitting notice that the Urban Forest Council is prepared to ensure adoption of uniform criteria for designating landmark trees and procedures for their removal in accordance with the Public Works Code. File 051458 (15)

From County of Humboldt, Board of Supervisors, submitting copy of letter sent to the Mayor regarding homeless individuals being sent to Humboldt County through San Francisco's "Homeward Bound" Program. Copy: Each Supervisor (16)

From Charles & Ann Bowman, submitting opposition to the City penalizing elderly people for installing a railing on the Filbert Street steps. (17)

From Police Commission, submitting notice that Commissioner Theresa Sparks will serve as Vice President of the Police Commission to fill the vacancy created by the resignation of Commission-Vice President Gayle Orr-Smith. Copy: Each Supervisor (18)

From Office of the Controller, submitting the Biannual Overtime Report pursuant to Administrative Code Section 18.13-5. (19)

From Office of the Controller, submitting authorization for the San Francisco Finance Corporation to issue Lease Revenue Bonds, Series 2006A. File 060064, Copy: Budget Committee (20)

From Clerk of the Board, submitting quarterly report on departmental spending pursuant to Administrative Code Section 10.19-5. (21)

From Councilwoman Jacquie Sullivan, County of Bakersfield, regarding displaying "In God We Trust" in every City Hall in America. (22)

From Christian Holmer, regarding letter from the City Attorney to the Sunshine Ordinance Task Force and the Board of Supervisors. (23)

From Angela Hu & K. Koh, submitting two letters regarding Falun Gong. Files 060019 and 060026 (24)

From Planning Department, submitting notice that the "Better Neighborhoods Planning and Implementation Process" ordinance does not require additional review or hearing by the Planning Commission. File 050601, Copy: Land Use Committee (25)

From Planning Department, recommending that the Board of Supervisors defer action on the proposed ordinance, "Better Neighborhoods Planning and Implementation Process" including the proposed amendments, until the pending Housing Study is completed. File 051668, Copy: Land Use Committee (26)

From Coalition for San Francisco Neighborhoods, regarding oversight of the account from garbage rates. Copy: Each Supervisor (27)

From Coalition for San Francisco Neighborhoods, urging the Board of Supervisors to select new leadership for the San Francisco County Transportation Authority Board. Copy: Each Supervisor (28)

From Wilma Parker, submitting copy of letter sent to Supervisor Daly regarding his intent to add another seat to the South of Market Project Area Committee (SOMPAC). Copy: Supervisor Daly (29)

From D. Carson, submitting opposition to resolution urging Superintendent Ackerman to forego the provision in her current contract for a $375,000 severance package. File 051580 (30)

From State Senate Rules Committee, submitting appointment of William Jones of Fresno to the California Bay-Delta Authority. (31)

From Riki Sarah Dennis, concerning her experience at the Tom Waddell Clinic. Copy: Each Supervisor (32)

From Harvey Sherback, submitting copy of the speech he gave at the Treasure Island Development Authority, Board of Directors meeting on January 23, 2006. (33)

From concerned citizens, submitting opposition to San Francisco adopting the Seattle Seahawks as the official football team for San Francisco. File 060072, Copy: Each Supervisor (34)

From Human Services Commission, regarding the Human Services Care Fund for fiscal year 2005-06 and the annual projection for fiscal year 2006-07. (35)

From State Senate Rules Committee, submitting appointment of Bridgett Thompson of San Francisco to the State Department of Conservation. (36)

From Barry Sullivan, commenting that the Muni system is totally mismanaged, and that people from Marin and the East Bay can get to work downtown faster than a San Francisco resident can get to work on Muni. Copy: Each Supervisor (37)

From Stephen & Irene Halpern, requesting an ordinance be passed that would impose a large fine on storekeepers, restaurateurs and fast food joint operators who allow garbage to accumulate in front of their businesses. Copy: Each Supervisor (38)

From John Ruzicka, commenting that the Falun Gong movement is anti-gay. File 060026, Copy: Each Supervisor (39)

From Serena Bardell, regarding recruiting residents for the one-year San Francisco Civil Grand Jury. Copy: Each Supervisor (40)

From Ivan Velinov, submitting support for Supervisor Daly and everything he is doing for San Francisco, including his support of Falun Gong. File 060026, Copy: Each Supervisor (41)

From Peggy Yamada, regarding the issue of spending money on bottled water.
(42)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

January 31, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance raising taxi fares and the cap on gate fees; re-instating the cap on taxicab lease fees; providing for biennial review of the lease fee cap	060077	Budget and Finance Committee	Supervisor Ma	1/24/06	2/24/06
Ordinance amending Administrative Code Section 3.20, regarding the Capital Expenditure Plan; timeline amendments for initial submission and approval.	060078	Budget and Finance Committee	Supervisor Elsbernd	1/24/06	2/24/06
Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee.	060081	Budget and Finance Committee	Supervisors Alioto-Pier, Dufty	1/24/06	2/24/06
Ordinance amending Public Works Code Section 170 regarding enclosure of garbage receptacles.	060083	City Operations and Neighborhood Services Committee	Supervisor McGoldrick	1/24/06	2/24/06
Ordinance amending Planning Code amending the requirements of the Inclusionary Affordable Housing Program.	060084	Land Use Committee	Supervisors Maxwell, Mirkarimi, McGoldrick	1/24/06	2/24/06
Ordinance amending Administrative Code, providing for public notice of installation of community safety cameras.	060086	Rules Committee	Supervisor Mirkarimi	1/24/06	2/24/06

Ordinance to make technical amendments to designate the Executive Director of SF Film Commission as the sole liaison between film companies and City departments	060065	Government Audit and Oversight Committee	Supervisor Alioto-Pier	1/17/06	2/17/06
Ordinance amending the SF Police Code Section 209 to allow pawnbrokers to operate on Sundays and on Mondays following a holiday	060013	City Operations and Neighborhoods Committee	Supervisor Ma	1/10/06	2/10/06
Ordinance amending SF Health Code to change the title from "Nuisance" to "Neighborhood Sanitation and Housing Habitability"	060029	City Operations and Neighborhoods Committee	Supervisors Mirkarimi, Peskin	1/10/06	2/10/06
Ordinance approving contract between CCSF and American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space	060031	Budget and Finance Committee	Supervisor Dufty	1/10/06	2/10/06
Ordinance amending SF Planning Code Sections 209.3, 217, 790.141 and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility or recreation building	060032	Land Use Committee	Supervisor Mirkarimi	1/10/06	2/10/06
Ordinance amending SF Campaign and Government Conduct Code section 1.114 to prohibit corporations from making campaign contributions for City elective office	060033	Rules Committee	Supervisor Peskin	1/10/06	2/10/06
Ordinance amending SF Planning Code section 123 to provide that residential parking does not apply to the maximum gross floor area in C-3 districts.	060036	Land Use Committee	Supervisor Alioto-Pier	1/10/06	2/10/06

Ordinance amending Public Works Code Section 801 regarding sidewalk landscape permits.	060142	Land Use Committee	Mayor Supervisor Alioto-Pier	1/31/06	3/2/06
Ordinance (Board of Appeals) amending Sec 12 of SF Business Tax and Regulations Code to require mailed notice of hearings to all owners/residents within 150 feet of property that is subject of appeal.	060143	Rules Committee	Supervisor Ma	1/31/06	3/2/06
Ordinance amending Admin Code Section 37.10A regarding Tenant History Disclosures to Buyers of Munlti-Unit Residential Property.	060152	Land Use Committee	Supervisor Dufty	1/31/06	3/2/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT
FEB 10 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 14, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

1. 060030 **[Weights and Measures–Registration and Inspection Fees]**
Mayor
Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.

2/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. **051795** **[Supporting plug-in hybrid vehicle technology]**
Supervisors Daly, Ma
Resolution urging the Director of Administrative Services and the Director of Contract Administration to purchase plug-in hybrid vehicles for the city fleet, and committing the City and County of San Francisco to support local, state and federal programs that support these vehicles and promote plug-in electric hybrid vehicles.

Question: Shall this Resolution be ADOPTED?

3. **060014** **[Regional Isolation Facility for TB Patients]**
Supervisor Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $50,000 from the State Department of Health Services TB Control Branch (SDHSTBCB), to enter into an agreement for the use of these funds, and to add one position at .33 FTE funded through this grant agreement; for the period of July 1, 2005, to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

4. **060021** **[Authorize grant funding for the YouthPOWER project from the Substance Abuse Mental Health Services Administration (SAMHSA)]**
Supervisors Maxwell, Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a continuation grant from the Substance Abuse Mental Health Services Administration (SAMHSA) in the amount of $200,000 for the YouthPOWER Project; for the period of October 1, 2005, to September 30, 2007.

Question: Shall this Resolution be ADOPTED?

5. **060022** **[To provide five state funded food and agriculture and pesticide regulation programs in San Francisco]**
Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend five grants in the total amount of $11,320 from the California Department of Food and Agriculture (CDFA) for the seed, nursery, and sudden oak death programs ($2,608) and the petroleum products program ($6,900); and from the California Department of Pesticide Regulation (CDPR) for the pesticide use reporting ($1,812) program, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

Question: Shall this Resolution be ADOPTED?

6. 060023 **[Grant for supportive housing for chronically homeless exiting criminal justice institutions]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $739,982 from the Department of Justice (DOJ) for supportive housing for chronically homeless offenders, to enter into an agreement for the use of these funds, and to add 1.5 new positions funded under this agreement; for the period of July 1, 2005 to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

7. 060024 **[Grant to enhance capacity of local minority HIV/AIDS organizations]**
Supervisors Dufty, Ammiano
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of $271,665 from the Office of Minority Health (OMH) to enhance the capacity of local minority-based HIV/AIDS organizations, and to enter into an agreement for the use of these funds; for the period of September 1, 2005, to August 31, 2006.

Question: Shall this Resolution be ADOPTED?

8. 060025 **[Accept-Expend Federal Grant – Spousal Abuser Prosecution Program]**
Supervisor Ma
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2005/2006.

Question: Shall this Resolution be ADOPTED?

9. 060049 **[Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program]**
Supervisors Dufty, Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to $4,378,351; for the period of July 1, 2005, through June 30, 2007.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

10. 060056 **[Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project]**
Supervisors Dufty, Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of $205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

11. **060094** **[Contract funds to develop an electronic reporting system for results of hepatitis testing]**
Supervisors Dufty, Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew retroactively a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of $141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

12. **060095** **[Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

13. **051443** **[Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making clerical changes]**
Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)

2/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto
Consideration to override veto pursuant to Charter Section 2.106 of Ordinance to require Planning Commission hearings on condominium conversions.)

14. 051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly
Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.
NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

1/10/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
1/10/2006, PASSED ON FIRST READING AS AMENDED.
1/17/2006, CONTINUED. Supervisor Mirkarimi previously excused from voting on this matter.

Continued to January 24, 2006
1/24/2006, FINALLY PASSED. Supervisor Mirkarimi previously excused from voting on this matter.
Action:_____

From the Clerk

15. 060139 **[Adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street]**
Motion adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street.
(Clerk of the Board)
(Companion measure to Files 051936, 051937, 051938, 051939.)

2/8/2006, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

16. 051773 **[Public Financing for Mayoral Candidates]**
Supervisors Mirkarimi, Maxwell, Ammiano, Daly, McGoldrick
Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.
(Fiscal impact.)

2/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Sandoval, McGoldrick, Peskin

17. 051453 **[Off-Street Parking In C-3 Zoning Districts]**
Supervisors Peskin, Daly
Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

2/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present. Supervisors Sandoval, McGoldrick

18. 050601 **[Better Neighborhoods Plus Planning and Implementation Process]**
Supervisors McGoldrick, Maxwell
Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.
1/17/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
1/17/2006, RE-REFERRED to Land Use Committee. Rereferred to Committee as amended.

2/7/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
2/7/2006, CONTINUED ON FIRST READING. Continued to February 14, 2006.
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

19. 052009 **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]**
Supervisors Daly, Ammiano, Maxwell, Mirkarimi
Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.
(Fiscal impact.)
(Supervisor Elsbernd Dissented in Committee)

2/7/2006, CONTINUED. Continued to February 14, 2006.
Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd

20. 052010 **[Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District]**

Supervisor Daly

Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.

2/7/2006, CONTINUED. Continued to February 14, 2006.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

21. 052011 **[Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port property; capital and financial plans]**

Supervisor Peskin

Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.

2/7/2006, CONTINUED. Continued to February 14, 2006.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Maxwell

22. 051792 **[Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]**
Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi
Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin

23. 060205 **[Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]**
Supervisor Daly
Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. **060087** **[Administrative Code Revision: Health Service System]**
Supervisor Elsbernd
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. **051981** **[2006 Water Revenue Refunding Bonds Issuance]**
Resolution approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

26. **051982** **[2006 Water Revenue Bonds Issuance]**
Resolution approving the issuance of not to exceed $525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

27. **060058** **[Contract approval - Municipal Transportation Quality Review]**
Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed $50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

28. **060062** **[Establishing Monthly Contribution Amount]**
Supervisor Elsbernd
Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

29. 051715 [Better Streets Policy]
Mayor, Supervisors McGoldrick, Dufty
Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 051920 [Granting parking privileges on Baker Street for official vehicles of the Russian Consulate]
Supervisor Alioto-Pier
Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051809 [Liquor License, 222 Powell Street]
Resolution determining that the issuance of a Type 42 On-Sale Beer and Wine Public Premises license and a Type 21 Off-Sale General license to Sirhed Enterprises LLC, for Gallery Market located at 222 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

32. 060005 [Contract funds to support research on HIV/AIDS in under-researched populations]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to $74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of July 1, 2005, to June 30, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEALS PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

33. 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board.
There were none.
Continued to January 17, 2006 at 4:00 p.m.

1/17/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to January 24, 2006

1/24/2006, CONTINUED. President inquired as to whether or not any member of the public wished to address the Board

Continued to February 7, 2006

2/7/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

Continued to February 14, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

34. 051853 **[Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
2/7/2006, CONTINUED. Continued to February 14, 2006
Question: Shall this Motion be APPROVED?

35. 051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
2/7/2006, CONTINUED. Continued to February 14, 2006
Question: Shall this Motion be APPROVED?

36. 051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
2/7/2006, CONTINUED. Continued to February 14, 2006
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M

37. 060007 **[Public Hearing - Appeal of Categorical Exemption for No. 1 La Avanzada Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2005, granting a Categorical Exemption from the California Environmental Quality Act as Class 1 (Building Permit Application No. 2005 0606 4223), to install a fire suppression system to an existing equipment building for Comcast, located at No. 1 La Avanzada Street. (Appellant: Walter Caplan, on behalf of Forest Knolls Neighborhood Organization, Liaison to Sutro Tower). (Filed 1/9/06; companion measure to Files 060008, 060009, 0600010; District 7.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

38. 060008 **[Affirming the categorical exemption issued for the 1 La Avanzada Street project]**
Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 060009 **[Disapproving the categorical exemption issued for the 1 La Avanzada Street project]**
Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

40. 060010 **[Preparation of findings related to the 1 La Avanzada Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1 La Avanzada Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items was considered by the Rules Committee at a Regular Meeting on Thursday, February 9, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 14, 2006.

41. 060175 **[Appointment - Sweatfree Procurement Advisory Board]**

Resolution appointing Jason Oringer, Alicia Culver, Abigail Levine, Laura Juran, Dale Jiajun Wen, terms ending December 17, 2007, to the Sweatfree Procurement Advisory Board, residency requirement waived.

Jason Oringer, new appointment, seat 1, must have significant experience representing employees in labor matters, for the unexpired portion of a two-year term ending December 17, 2007.
Alicia Culver, new appointment, seat 2, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2007.
Abigail Levine, new appointment, seat 3, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2007.
Laura Juran, new appointment, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.
Dale Jiajun Wen, new appointment, seat 5, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Question: Shall this Resolution be ADOPTED?

42. 052004 **[City and School District Off-Site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, March 13; Monday, May 8; Monday July 10; Monday, September 11 and Monday, November 13, 2006, at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Question: Shall this Motion be APPROVED?

43. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

44. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 45 through 55

45. 060150 [Issuance and Sale of Revenue Bonds – Salvation Army Tenderloin Housing and Community Center]

Supervisor Daly

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in one or more series issued from time to time and at no time to exceed $16,000,000 in outstanding aggregate principal amount, for the financing of the acquisition, construction and development of a multifamily rental housing project generally known as Salvation Army Tenderloin Housing and Community Center.

1/31/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Sponsor requests this item be placed for Adoption without Reference to Committee for Board consideration February 14, 2006.

Question: Shall this Resolution be ADOPTED?

46. 060191 [Commemorative Plaque Designation - José Sarria Court]

Supervisor Dufty

Resolution designating the public sidewalk fronting 3555 16th Street as eligible for the installation and maintenance of a commemorative plaque, pursuant to Public Works Code section 789.2(a), in order to honor José Sarria, who is one of the most heroic, courageous and colorful and creative figures in San Francisco's history, and urging official actions in connection with this designation.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 060189 **[Expend Federal Funding - Community Development Block Grant]**

Supervisors Alioto-Pier, Maxwell

Resolution approving the expenditure of one million, six-hundred and twenty-four thousand, nine-hundred and eighty-five dollars and nine cents ($1,624,985.09) of Community Development Block Grant funding and Forty Six Thousand Two hundred and Sixty Dollars and Eighty One Cents ($46,260.81) of Emergency Shelter Grant funds.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060190 **[Funding for San Francisco-Oakland Bay Bridge Bicycle Pathway]**

Supervisor Daly

Resolution urging the California State Legislature and the Governor to include funding for the San Francisco-Oakland Bay Bridge West Span Bicycle/Pedestrian/Maintenance Pathway Project in any state infrastructure bond placed before the voters in an upcoming election.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060193 **[Biodiesel Filling Station Permitting, Policies and Creation of Biodiesel Access Taskforce]**

Supervisor McGoldrick

Resolution establishing a Biodiesel Access Taskforce to develop and recommend to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; and establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 060194 **[Extended Producer Responsibility]**

Supervisor Mirkarimi

Resolution urging San Francisco's State delegation to support statewide efforts to hold producers responsible for product waste, starting with toxic products defined as universal waste; requesting the Department of the Environment recommend local extended producer responsibility policies as well as work with necessary agencies to develop producer responsibility language for inclusion in City contracts.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 060195 **[Commending Deputy City Attorney Claire M. Sylvia]**

Supervisor Peskin

Resolution commending Claire M. Sylvia for ten years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Ethics and Elections Team of the City Attorney's Office, and wishing her well in her future endeavors.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 060196 [Supporting Filipino Veterans Equity Act]

Supervisor Peskin

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 4574.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 060197 [Support of the International Union of the Bricklayers and Allied Craftsworkers]

Supervisor Peskin

Resolution commending and supporting the International Union of Bricklayers and Allied Craftsworkers and welcoming them for the 2006 Western States Brick and Tile Apprenticeship Contest to take place in Fisherman's Wharf, June 2-4 2006.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 060135 [Final Map, Planned Development, Mission Bay]

Motion approving Final Map Tract No. 3936 for residential and commercial condominium purposes, Mission Bay Blocks 2-7 and 13, a twenty (20) lot subdivision, being Phase I of a Planned Development Subdivision of Assessor's Blocks 8710, Lot 4; 8711 Lot 12; 8712, Lot 1; 8713, Lot 1 and a portion of recently vacated Fourth Street; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.
(Public Works Department)

2/6/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

55. 060192 [Impound Account Analysis]

Supervisor Ma

Motion directing the Budget Analyst to conduct a financial analysis of the Impound Account in the Department of the Environment on a priority basis, and to complete the analysis by March 28, 2006.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

56. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 31, 2006 through February 6, 2006, for reference by President to appropriate committee on February 14, 2006.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 31, 2006 through February 6, 2006, for reference by President to appropriate committee on February 14, 2006.

060132 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;
Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;
Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;
Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;
Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;
Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;
Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;
Washburn Street, stopping Washburn Street at Howard Street;
Dore Street, stopping Dore Street at Folsom Street; and,
Grace Street, stopping Grace Street at Mission Street.
(Parking and Traffic Department)

(1/26-06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060133 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Montgomery Street to 155 feet easterly (creates new metered parking, but maintains Tow-Away 3 PM to 7 PM, Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH
Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH
Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone) (both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND
Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;
San Jose Avenue, west side, from Farallones Street to 173 feet northerly;
San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;
San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;
San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;

San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and, McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Parker Avenue, west side, from Geary Boulevard to 50 feet southerly (replaces existing green zone with two 30-minute meters).

PARKING METER AREA 4 - ESTABLISH
Stockton Street, east side, from North Point Street to 60 feet northerly (adds 3 meters).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the south property line of #40 Hillway Avenue (Parking and Traffic Department)

(1/26-06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060134 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street, between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street
(Parking and Traffic Department)
(1/26-06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060206 **[Petitions and Communications]**

Petitions and Communications received from January 31, 2006 through February 6, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 14, 2006.

From Kimo Crossman, submitting suggestions on how to save $25,000 in the budget and protect the public's Internet privacy and get WiFi for all public library branches. (1)

From SF Unified School District, submitting spending plan for the Public Education Enrichment Fund for fiscal year 2006-07. (2)

From Marilyn Amini, requesting the "Better Neighborhoods Planning and Implementation Process" be referred to the Planning Commission for Commission consideration. File 050601 (3)

From Coalition for San Francisco Neighborhoods, urging the Board to vote no on the proposed "Better Neighborhoods" Ordinance and urging no action be taken on the proposed amendment of the whole. Files 050601 (4)

From Sue Hestor, submitting a brief supporting the appeal for property located at 2660 Harrison Street. Files 051936, 051991, Copy: Each Supervisor (5)

From Supervisor Maxwell, submitting copy of letter sent to the Budget Committee regarding proposed amendment of the whole for the "Deemed Approved " Ordinance. File 051792 (6)

From City College of San Francisco, submitting support for proposed Charter amendment that would increase the monthly stipends of members of the Board of Trustees of the SF Community College District and members of the SF Unified School District Board of Education. Copy: Each Supervisor (7)

From Office of the Controller, thanking Supervisor Dufty for agreeing to serve as Supervisor Peskin's designee on the Municipal Transportation Agency's Policy Advisory Groups Transit Effectiveness Project. (8)

From Mark Baird, wondering why the traffic lights that were installed on Mississippi, 7th and 16th Streets haven't been turned on. (9)

From Round the Diamond, Consulting and Educational Services, submitting suggestions and proposals to the proposed Charter amendment regarding Port Commission qualifications and term limits for Port Commission members. File 052011 (10)

From the SF Architectural Heritage, submitting support for the recent inclusion of language which requires Historic and Cultural Resource Surveys in the Better Neighborhoods Planning Process. File 050601, Copy: Land Use Committee (11)

From Department of Public Works, submitting corrected letter for project at 283 Cresta Vista. (12)

From Office of the Controller, submitting the Six-Month Budget Status Report for fiscal year 2005-06. (13)

From Mary Helen Briscoe, explaining why she and her neighbors are against the "Tree and Beauty Tax" Ordinance. File 050986, Copy: Land Use Committee
(14)

From Martin Macintyre, regarding the management audit of the Recreation and Parks Department. (15)

From Department of Public Works, responding to request to repave 9th Avenue, between Lincoln and Judah Streets. (Reference No. 200601110-009) Copy: Supervisor Mirkarimi (16)

From Department of Public Works, responding to request to repair the potholes at Lincoln Way and 2nd Avenue. (Reference No. 20060117-001) Copy: Supervisor Mirkarimi (17)

From Department of Public Works, submitting notice that request to repaint the crosswalks at the intersections of Lincoln Way and 5th Avenue, 7th Avenue, 9th Avenue, and 17th Avenue, and the west crosswalk at Lincoln Way and Arguello Boulevard has been forwarded to the Department of Parking and Traffic. (Reference No. 20060117-002) Copy: Supervisor Mirkarimi (18)

From Law Offices of Steven Williams, submitting request for continuance of appeal for property located at 730 Great Highway to February 21, 2006. File 051852, Copy: Each Supervisor (19)

From Department of Public Works, responding to request to clean the storm drain grates along Webster Street, at the intersections of Turk Street, Golden Gate Avenue, McAllister Street and Fulton Street. (Reference No. 20051206-006) Copy: Supervisor Mirkarimi (20)

From Planning Department, regarding the proposed Eastern Neighborhoods Interim Zoning Ordinance. (Reference No. 20060124-008) Copy: Supervisor Maxwell (21)

From John Nelson, concerning the former United Artists Cinema building at Van Ness Avenue and Sutter Street that has turned into graffiti covered homeless encampment, etc. (22)

From Department of Public Works, regarding status of repair of the sidewalk at 200 Fillmore Street. (Reference No. 20051213-006) Copy: Supervisor Mirkarimi (23)

From Joe Valenciano, submitting copy of letter sent to the Department of Parking and Traffic regarding illegal parking on the 900 block (north and south) of Ulloa Street. (24)

From concerned citizens, submitting opposition to proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process". File 050601, Copy: Land Use Committee (25)

From Hedi Meyer, concerning relocating the USS Hornet Aircraft Carrier Ship Museum from Alameda to a waterfront pier in San Francisco. (26)

From concerned citizens, submitting their opinion on the Falun Gong movement. File 060026, Copy: Each Supervisor (27)

From concerned citizens, submitting support for bringing the USS Iowa to San Francisco. File 051113, Copy: Each Supervisor (28)

From Supervisor Daly, requesting the City Attorney to investigate a possible Brown Act violation by Jake McGoldrick who may have spoken with a majority of Transportation Authority Commissioners to elect him as Chair of the body, thereby holding ad seriatim meetings in violation of the Brown Act. Copy: Each Supervisor (29)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Rebekah Krell, Legislative Assistant to Supervisor Elsbernd. (30)

From Office of the Controller, submitting notice that if the voters approve the proposed Charter amendment that specifies qualifications for members of the Port Commission, it would not significantly impact the cost of government. File 052011, Copy: Each Supervisor (31)

From Public Utilities Revenue Bond Oversight Committee, submitting the 2005 Annual Report of the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor (32)

From Museum Parc, submitting opposition to proposed legislation regarding Off-Street Parking in C-3 Zoning Districts. File 051453, Copy: Each Supervisor (33)

From Fine Arts Museums of San Francisco, submitting the amended Bylaws of the Fine Arts Museums of San Francisco, January 26, 2006. (34)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the period ending December 31, 2005. (35)

From Law Offices of Steven Williams, submitting request to withdraw appeal of Certificate of Exemption from Environmental Review for property at 1043-1045 Francisco Street. File 052035, Copy: Each Supervisor (36)

From Carol Mowbray, submitting copy of letter sent to Supervisor Dufty objecting to encroachment taxes. File 060081 (37)

From Civil Service Commission, submitting the Civil Service Commission policy on disclosure and review of criminal history records. (38)

From Jack Cargas, commenting on the state of disrepair of the roads in Golden Gate Park. (39)

From Josephine Guerra, submitting support for continued funding of the N.E.R.T. training program taught by the Fire Department. (40)

From Jason Starn, commenting that he is in the process of gathering private funding to help re-open the Golden Gate Park stables. Copy: Recreation and Park Department (41)

From concerned citizens, urging the Board of Supervisor to become leaders in the movement to bring high-speed rail to California. File 060157, Copy: Each Supervisor (42)

From DJ Lamont, submitting copy of letter sent to Supervisor Daly inquiring what are the City's long term plans for the Mid-Market area. (43)

From Laura Castellini, regarding Ellis Act evictions in San Francisco. File 051822, Copy: Each Supervisor (44)

From Department of Parking and Traffic, regarding status of installing signs prohibiting bicycles and skateboards on Irving Street, between 6th Avenue and Funston; and 9th Avenue between Lincoln Way and Judah Street. (Reference No. 20060110-005) Copy: Supervisor Mirkarimi (45)

From Tracy Rabold, submitting support for implementing the San Francisco Energy Independence Ordinance as soon as possible. Copy: Each Supervisor (46)

From concerned citizens, regarding providing bottled water for City and County offices. Copy: Each Supervisor (47)

From Douglas Kerr, submitting opposition to not allowing military recruiters to operate freely in San Francisco. (48)

From Office of the Controller, City Services Auditor, submitting its audit report concerning the Department of Human Services, Family and Children's Services Division. Copy: Each Supervisor (49)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
FEB 24 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 28, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for January 10, 24, and 31, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

1. 060087 **[Administrative Code Revision: Health Service System]**
Supervisors Elsbernd, Ammiano
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal impact.)

2/14/2006, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 051715 **[Better Streets Policy]**
Mayor, Supervisors McGoldrick, Dufty
Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

2/14/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

3. 051920 **[Granting parking privileges on Baker Street for official vehicles of the Russian Consulate]**
Supervisor Alioto-Pier
Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

2/14/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

4. 052047 **[Quitclaim of Water Pipeline Easement]**
Resolution approving the quitclaim of a water pipeline easement located at 1410 El Camino Real, South San Francisco, San Mateo County to the owner of the underlying fee interest in the property for a purchase price of $30,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale by quitclaim is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

5. 060006 **[Settlement of Claims - Pacific Gas & Electric Company]**
Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 060097 **[Settlement of Lawsuit - Maria Castillo]**
Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 060099 **[Settlement of Lawsuit and Grievance - Gary Thompson]**
Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 052044 **[Settlement of Lawsuit - Mary Williams]**
Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 060176 **[Appointment - Veterans Affairs Commission]**
Resolution appointing Edwin Wilkerson, term ending January 31, 2007, to the Veterans Affairs Commission.
Edwin Wilkerson, succeeding Aaron Zeff, resigned, seat 11, must be an at large appointment, for the unexpired portion of a four-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Elsbernd

10. 060177 [Appointment - In-Home Supportive Services Public Authority]

Resolution appointing Anita Aaron, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Anita Aaron, succeeding Ray del Portillo, term expiring March 1, 2006, seat 7, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for a three-year term ending March 1, 2009.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

11. 060238 **[Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion adopting findings related to affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 060007, 060008, 060009, 060010.)

2/17/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Maxwell

12. 051792 **[Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]**
Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

2/14/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
2/14/2006, CONTINUED. Continued as amended to February 28, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin

13. 060205 **[Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]**

Supervisors Daly, Ammiano

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

2/14/2006, CONTINUED. Continued to February 28, 2006
Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use Committee

Present: Supervisors Sandoval, McGoldrick, Peskin

14. 051453 **[Off-Street Parking In C-3 Zoning Districts]**

Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

2/7/2006, PASSED ON FIRST READING.

2/14/2006, AMENDED. Amended by changing the effective date of the legislation to June 1, 2006.

2/14/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Sandoval, McGoldrick

15. 050601 **[Better Neighborhoods Plus Planning and Implementation Process]**

Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

1/17/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/17/2006, RE-REFERRED to Land Use Committee. Rereferred to Committee as amended.

2/7/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/7/2006, CONTINUED ON FIRST READING. Continued to February 14, 2006.

2/14/2006, CONTINUED. Continued to February 28, 2006

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Peskin

16. **060076** **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]**

Mayor

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. **051960** **[Authorizing the Committee on Information Technology to amend its contract with En Pointe Technologies to exceed $10 million]**

Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and En Pointe Technologies (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

Question: Shall this Resolution be ADOPTED?

18. **051961** **[Authorizing the Committee on Information Technology to amend its contract with Xtech to exceed $10 million]**

Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

Question: Shall this Resolution be ADOPTED?

19. **060080** **[Waterline Relocation Agreement with Mills Peninsula Health Services]**

Supervisor Dufty

Resolution approving and authorizing the execution and delivery of a Waterline Relocation Agreement with Mills Peninsula Health Services; authorizing the exchange of real property interests in the City of Burlingame, San Mateo County following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

Question: Shall this Resolution be ADOPTED?

20. 060096 [Lease of Real Property located at One Market Plaza]
Resolution authorizing the renewal of a lease of 20,677 sq. ft. of space including related auxiliary spaces at One Market Plaza for the Department of Telecommunications and Information Services. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Peskin

21. 060119 [Option Agreement for Sale of Surplus Property]
Resolution approving an Option Agreement for sale of surplus lands located in Mountain View, Santa Clara County, California, under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") to KMJ Urban Communities, LLC, a California limited liability company; adopting findings pursuant to the California Environmental Quality Act; and authorizing the Director of Property or the General Manager of the SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

22. 051918 [SoMa Senior Community Committee for Livable Streets]
Supervisor Daly
Resolution urging the creation of the SoMa Senior Community Committee for Livable Streets.

Question: Shall this Resolution be ADOPTED?

23. 060185 [Approve retroactively a new position funded by a recurring State grant for the period of FY 2005 through FY 2007]
Supervisor Peskin
Resolution authorizing retroactively the San Francisco Department of Public Health (SFDPH), San Francisco Childhood Lead Prevention Program to fill a new position using existing and ongoing funds from a recurring State grant, for the period of July 1, 2005 through June 30, 2007.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

24. 051562 **[Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District]**

Supervisor Maxwell

Ordinance amending Zoning Map Section 10 and 10SU of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 051563 **[Third Street and Oakdale Avenue Affordable Housing Special Use District]**

Supervisor Maxwell

Ordinance adding Planning Code Section 249.30 to establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, and making findings including findings under the California Environmental Quality Act and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

26. 060054 **[MUNI Operator restrooms at various locations]**

Resolution granting revocable permission to Municipal Transportation Agency (MTA), to occupy a portion of the public right-of-way to install and maintain one (1) MUNI Operator Restroom at each of the following locations: within an existing traffic island on Geneva Avenue at Munich Street; on the westerly sidewalk of Main Street, southerly of Howard Street; on the easterly sidewalk of Main Street, northerly of Mission Street, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

27. 060156 **[Investigate and Impeach President Bush and Vice President Cheney]**
Supervisor Daly
Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.
(Supervisor Elsbernd Dissented in Committee)

2/7/2006, REFERRED to Government Audit and Oversight Committee. 2/9/06- Transferred to the Rules Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

28. **060211** **[Charter amendment (Fourth Draft) to add Section 16.126]**
Hearing to consider a charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

29. **052009** **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]**
Supervisors Daly, Ammiano, Maxwell, Mirkarimi
Charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

2/7/2006, CONTINUED. Continued to February 14, 2006.
2/14/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
2/14/2006, CONTINUED AS AMENDED. Continued to February 28, 2006
Board to Sit as a Committee of the Whole
Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 060230.)

30. 060213 **[Hearing - 22-Month and 15 Day Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**
Hearing to consider the possible adoption of an urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

31. 060212 **[Zoning – 22 Month and 15 Day Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**
Supervisor Ammiano
Urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, February 27, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 28, 2006.

32. 060078 **[Capital Expenditure Plan; timeline amendments for initial submission and approval]**
Supervisor Elsbernd
Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 45

35. 060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick
Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/31/2006, CONTINUED. Continued to February 7, 2006

2/7/2006, CONTINUED. Continued to February 28, 2006

Question: Shall this Resolution be ADOPTED?

36. 060229 **[Report for Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]**

Supervisor Ammiano

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on new check cashing and payday lender uses.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 060230 **[Board of Supervisors Committee of the Whole - February 28, 2006 3:00 p.m. – Extension of interim zoning moratorium New Check Cashing and Payday Lenders Uses]**

Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on February 28, 2006, at 3:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for 22 months and 15 days on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

38. 060231 **[Commending Lucille Burlew-Lawler]**

Supervisor Dufty

Resolution commending Lucille Burlew-Lawler for 28 years of outstanding and dedicated service to the Department of Public Health and the people of San Francisco.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 060232 **[Commending Eugene Coleman]**

Supervisor Maxwell

Resolution commending Eugene Coleman for his dedication and exemplary service to the residents of San Francisco and proclaiming February 21, 2006 as Eugene Coleman Day in San Francisco.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 060233 **[Accept-Expend Grant - Juvenile Probation Department]**

Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $50,000 from the Zellerbach Family Foundation to support organizational development activities at the Juvenile Probation Department and to fund technical assistance for planning for such organizational change.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 060234 [Supporting Eddy Zheng's application to remain lawfully in the United States]
Supervisors McGoldrick, Peskin, Ammiano
Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's application to remain lawfully in the United States and calling on the Department of Homeland Security to exercise its discretion not to appeal the grant of a waiver that would allow Eddy Zheng to remain in the United States.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060235 [California Seismic Safety Commission]
Supervisor Peskin
Resolution urging California Governor Arnold Schwarzenegger to withdraw his proposal to eliminate funding for the California Seismic Safety Commission.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060236 [Gift-In-Place to Recreation and Park Department]
Supervisor Peskin
Resolution accepting and expending a gift-in-place valued at $40,000 from the Union Square Association to the Recreation and Park Department for use in Union Square.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 060237 [Commending the "Love Your Playground" volunteers and the Neighborhood Parks Council]
Supervisors Sandoval, Dufty
Resolution commending the volunteers who participated in the "Love Your Playground" program and the Neighborhood Parks Council for conducting the survey.

2/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060207 [Final Map for a 23 Unit Commercial/Residential Condominium Project - 380 Alabama Street/2095 Harrison Street]
Motion approving Final Map of 380 Alabama Street/2095 Harrison Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 3967, and adopting findings pursuant to Planning Code Section 101.1.
Version.
(Public Works Department)
(DPW Order No. 175,896; District 6.)

2/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

46. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 14, 2006 through February 24, 2006, for reference by President to appropriate committee on February 28, 2006.

060162 **[Amending the Traffic Code to establish a single consolidated list of weight-restricted streets]**
Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166 through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements.
(Parking and Traffic Department)

2/13/2006, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/28/2006.

060164 **[Settlement of Lawsuit - CCSF v. ARCO et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

2/15/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 14, 2006 through February 24, 2006, for reference by President to appropriate committee on February 28, 2006.

060137 **[Report of assessment costs for sidewalk and curb repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(DPW Order No. 175,878; Locations: 220 Jones Street and 1101 Persia Avenue.)

2/7/2006, ASSIGNED to Board of Supervisors.

060163 **[Settlement of Claim - James Mead]**
Resolution approving the settlement of the unlitigated claim filed by Mr. James Mead, against San Francisco for $77,500; claim was filed on June 22, 2005.

2/13/2006, RECEIVED AND ASSIGNED to Rules Committee.

060208 **[Authorize payment of performance fees and for final closeout of the Water Infrastructure Partners contract for an amount not to exceed $734,670]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 4 and Year 5 and for final closeout of the Agreement with the Water Infrastructure Partners for an amount not to exceed $734,670.
(Public Utilities Commission)

2/17/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

060284 [Petitions and Communications]

Petitions and Communications received from February 7, 2006 through February 17, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 28, 2006.

From Kimo Crossman, regarding TechConnect: WIFI Mayor announces a Project TechConnect Task Force, ignores 800-pound elephants in the room. Kimo@webnetic.net www.webnetic.net (1)

From Kimo Crossman, commenting that SFGTV exercises editorial control, no presenter live feedback, kimo@webnetic.net www.webnetic.net (2)

From concerned citizens, commenting on proposed resolution calling for a full investigation or resignation of President Bush and Vice-President Cheney. File 060156, Copy: Each Supervisor (3)

From SF Labor Council, AFL-CIO, submitting support for amendments to the Living Wage Ordinance, the Minimum Compensation Ordinance and the Health Care Accountability Ordinance. File 051907, Copy: Budget and Finance Committee (4)

From Clerk of the Board, submitting resolution from the San Francisco Local Agency Formation Commission and the report from Nixon Peabody LLP, regarding legal and financing issues for the Community Choice Aggregation Implementation Plan. Copy: Each Supervisor (5)

From SF Local Agency Formation Commission (LAFCO), requesting response from the Mayor, Board of Supervisors and Department of Telecommunications and Information Services, indicating its interest in the City and County of San Francisco pursuing a municipally-owned WIFI system and requesting that various issues be addressed. Copy: Each Supervisor (6)

From Planning Department, regarding the closure and re-use plan for the AMC Kabuki Theater. (Reference No. 20061110-001) Copy: Supervisor Mirkarimi (7)

From Municipal Transportation Agency, regarding the Metro Subway Overhead Reconstruction Project. (Reference No. 20060110-013) Copy: Supervisor Ammiano (8)

From San Luis Obispo County Board of Supervisors, submitting support for the California Energy Commission's recommendation to evaluate the long-term implications associated with the continuing accumulation of spent fuel at California's operating nuclear power plants. Copy: Each Supervisor (9)

From Guo Wen, describing his unpleasant experience while applying for a CCSF job as a parking control officer on February 8, 2006. Copy: Muni (10)

From Graffiti Advisory Board, requesting Marc Bruni be removed as a member of the Graffiti Advisory Board. Copy: Rules Committee (11)

From Department of Human Resources, regarding disclosure of conviction history on job applications for City and County jobs. (12)

From Municipal Transportation Agency, regarding the installation of wildfire crossing signs along Laguna Honda Boulevard, between Lawton Street and Clarendon Avenue. (Reference No. 20060110-010) Copy: Supervisor Elsbernd (13)

From Office of the Controller, submitting a review of a selection of nonprofit agencies that hold contracts with the City and County of San Francisco. Copy: Government Audit and Oversight Committee (14)

From Veterans Affairs Commission, submitting resolution-opposing plans to terminate the long tradition of hearings by veteran's service organizations before joint sessions of the House and Senate Veterans Affairs Committees. Copy: Each Supervisor (15)

From James Chaffee, submitting copy of letter sent to SFGTV regarding videotape coverage of the Board of Supervisors meetings. (16)

From SFGTV, submitting copy of letter sent to constituent regarding videotape coverage of the Board of Supervisors meetings. (17)

From Conrad House, submitting appointment of Damian Ochoa to the Shelter Monitoring Committee. Copy: Rules Clerk (18)

From Planning Department, submitting support for proposed ordinance that creates the Third Street and Oakdale Avenue Affordable Housing Special Use District located at 4800 Third Street, Lot 45 in Assessor's Block 5322. File 51563, Copy: Land Use and Economic Development Committee (19)

From Christian Holmer, submitting copy of letter sent to the City Attorney regarding request for outside counsel. Copy: Each Supervisor (20)

From Corinne de Ciofalo-Guell, regarding the graffiti and homeless individuals at the southeast corner of Van Ness Avenue and Sutter Street, the old AMC Theater Building. (2 photos included) (21)

From the Port, submitting the Port's second quarterly report of as-needed professional services contracts for fiscal year 2005-06. (22)

From Office of the Controller, submitting the 2005 Taxi Commission Survey Report. (23)

From Robert Greco, regarding the Select Committee on Ending Gun and Gang Violence meeting held on February 6, 2006. Copy: Ending Gun and Gang Violence Committee (24)

From Mesha, submitting press release announcing the "Bang4Change 2006" SF Human Rights and Civil Rights Revival Fest on February 25, 2006, from noon to 5 p.m. at Civic Center Plaza. (25)

From Planning Department, regarding appeal of categorical exemption for Sutro Tower Antennas, Satellite Dishes and Emergency Generator at 1 La Avanzada Street. File 060007, Copy: Each Supervisor (26)

From Office of the Controller, submitting report concerning the review of the agreement between the Water Infrastructure Partners and the Public Utilities Commission to provide program management and construction management services that support PUC's water, power and sewer capital improvement program. (27)

From Department of Public Works, reporting that the pothole at the intersection of Laguna and Waller Streets has been filled. (Reference No. 20060207-004) Copy: Supervisor Mirkarimi (28)

From Department of Public Works, reporting that the pothole at the intersection of Willard and Carl Streets has been filled. (Reference No. 20060131-006) Copy: Supervisor Mirkarimi (29)

From Department of Public Works, reporting that the sidewalk repair at 200 Fillmore Street has been repaired. (Reference No. 20051213-006) Copy: Supervisor Mirkarimi (30)

From Department of Parking and Traffic, regarding request to consider prohibiting delivery trucks parking within fifty feet of the entrance of Lakeshore Plaza on Sloat Boulevard. (Reference No. 20051213-008) Copy: Supervisor Elsbernd (31)

From Office of the Controller, submitting audit report of the statement of net assets/changes in net assets of CCSF's investment pool held by the Office of the Treasurer and Tax Collector as of June 30, 2005. (32)

From Small Business Commission, regarding proposed ordinance "Deemed Approved Off-Sale Alcohol Use Nuisance Regulations" deeming all existing non-conforming and permitted off-sale alcohol uses "approved" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses. File 051792, Copy: Each Supervisor (33)

From Law Offices of Stephen Williams, withdrawing the appeal of Categorical Exemption for the proposed project at 730 Great Highway. File 051852, Copy: Each Supervisor, City Attorney (34)

From Public Library Commission, responding to request related to a community meeting at the Public Library concerning the planned renovation of the Bernal Heights Branch Library. (Reference No. 200601110-017) Copy: Supervisor Ammiano (35)

From concerned citizens, submitting support for continued funding of the Neighborhood Training Response Team (N.E.R.T.) program taught by the Fire Department. (36)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapters 12B and 12C for wheel assemblies from the Penn Machine Company. (37)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapters 12B and 12C for tire kits from the Penn Machine Company. (38)

From Coalition for San Francisco Neighborhoods, urging the Board not to take any action today (2/7/06) on the proposed amendment of the whole regarding the Better Neighborhoods Planning and Implementation Process. File 050601, Copy: Each Supervisor (39)

From Supervisor McGoldrick, submitting memorandum regarding amendments to the Better Neighborhoods Plus (BN+) Ordinance. File 050601, Copy: Each Supervisor (40)

From San Francisco Beautiful, submitting several principles that should be addressed in proposed legislation regarding C-3 Parking. File 051453, Copy: Each Supervisor (41)

From Harold Becker, submitting press release announcing the 3rd Annual "Global Love Day" on May 1, 2006. Copy: Each Supervisor (42)

From San Francisco Beautiful, commenting on proposed legislation regarding the Better Neighborhoods Plus Ordinance. File 050601, Copy: Each Supervisor (43)

From Walter Caplan, regarding appeal of categorical exemption for proposed project at 1 La Avanzada Street. File 060007, Copy: Each Supervisor (44)

From Pfeffer & Williams, submitting request for transfer of a Type 21 off-sale general liquor license for Numan Zeidan dba Nob Hill Liquors #2 at 1552 Polk Street. (45)

From Clerk of the Board, submitting the 2005-06 mid-year report for the Whistleblower Program. (46)

From Bakersfield Council member Jacquie Sullivan, regarding the display of our national motto "In God We Trust" in every City Hall of America. Copy: Each Supervisor, Mayor (47)

From Jack Cargas, commenting on the status of disrepair of the roads in Golden Gate Park. (48)

060286 [Petitions and Communications, Part 2]

Petitions and Communications received from February 7, 2006 through February 17, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 28, 2006. Part 2.

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (49)

From Department of Public Works, submitting corrected letter for project at 283 Cresta Vista. (50)

From Unite Here Local 2, submitting support for amendments to the Living Wage Ordinance, the Minimum Compensation Ordinance and the Health Care Accountability Ordinance. File 051907, Copy: Budget and Finance Committee (51)

From Irene Estrada, submitting copy of letter sent to Supervisor Daly inviting him to a letter writing campaign event for Filipino World War II Veterans on February 18, 2006 at the Filipino Community Center located at 35 San Juan Avenue. (52)

From Ahimsa Sumchai, submitting correspondence regarding Nancy Pelosi and family at the Hunters Point Shipyard. (53)

From concerned citizens, commenting on proposed legislation regarding off street parking. File 051453, Copy: Each Supervisor (54)

From concerned citizens, commenting on statements about the military and the USS Iowa made by San Francisco Supervisor Sandoval on the Hannity and Colmes show. Copy: Each Supervisor (55)

From Ellman, Burke, Hoffman & Johnson, filing notice of appeal from action of the Planning Department for the Katherine Delmar Burke School addition at 229 32nd Avenue. Copy: Each Supervisor (56)

From Law Offices of Stephen Williams, filing notice of appeal from action of the Planning Department for the Bernal Heights Park Open Space Improvements – Phase 2. File 060198 (57)

From Kim Makoi, submitting support for proposed resolution to allow Eddy Zheng to stay in the United States. Copy: Each Supervisor (58)

From Coalition for San Francisco Neighborhoods, urging the Board of Supervisors to refer proposed legislation regarding the Better Neighborhoods Plus Plan back to the Planning Commission for review. File 050601, Copy: Each Supervisor (59)

From Department of Elections, regarding implementation of the new voting system for the June 6, 2006 election and the implementation of ranked-choice voting for the November 7, 2006 election. Copy: Each Supervisor (60)

From Department of Elections, submitting update #2: implementation of new voting system for June 6, 2006 election and the implementation of ranked-choice voting for the November 7, 2006 election. Copy: Each Supervisor (61)

From Planning Department, recommending the Board defer action on proposed ordinance that would modify and update Planning Code related to the inclusionary affordable housing program amendment. File 051685, Copy: Each Supervisor (62)

From Office of the Controller, submitting report concerning the review of selected grant agreements between the City and County of San Francisco and the nonprofit corporation, Women Organized to

Make Abuse Nonexistent, Inc. (63)

From Edith McMillan, submitting copy of letter sent to the Assessor/Recorder regarding the misspelling of her last name on her tax bill, etc. (64)

From Mark Tully, submitting complaint of how the Office of Contract Administration handled a minimum wage complaint. (65)

From Planning Department, submitting support for proposed ordinance relating to General Advertising Sign Enforcement with certain amendments. File 051884, Copy: Land Use Committee (66)

From Planning Department, recommending the Board defer action on proposed ordinance related to the inclusionary affordable housing program amendments.
File 051685, Copy: Each Supervisor (67)

From Clerk of the Board, submitting the election schedules which pertain to the various actions and deadlines for the November 7, 2006, election to be held in the City and County of San Francisco. (68)

From Mary Ann Ring, submitting her concerns about the operations of the city funded San Francisco Community Access Channel 29. Copy: Each Supervisor (69)

From Robert Bunker, expressing his opinion of San Francisco. Copy: Each Supervisor (70)

From concerned citizens, submitting opposition to proposed ordinance "Deemed Approved Off-Sale Alcohol Use Nuisance Regulations" deeming all existing non-conforming and permitted off-sale alcohol uses "approved" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses. File 051792, Copy: Each Supervisor (71)

From Asian Art Museum, regarding the Museum's policy on barring the security guards' union representative from entering the museum without the purchase of a ticket. (Reference No. 20060207) Copy: Supervisor Daly (72)

From Planning Department, submitting support for proposed ordinance that allows bar use within a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdivision. File 051841, Copy: Land Use and Economic Development Committee (73)

From concerned citizens, commenting on the in-depth series about the San Francisco Police Department in the San Francisco Chronicle. Copy: Each Supervisor (74)

From John Copeland, submitting support for the decision of the Board of Supervisors not to allow the war ship from World War II to be put in the San Francisco Bay. Copy: Each Supervisor (75)

From Bill Lawrence, regarding the increased fee for residential parking permits. Copy: Each Supervisor (76)

From Hugh Gurin, regarding the Biodiesel Access Taskforce. File 060193, Copy: Each Supervisor (77)

From Jane Wong, commenting on the lack of public service provided by Muni. Copy: Muni (78)

From Tatiana Sepulveda, regarding using Fast Track on the Bay Bridge. Copy: Each Supervisor (79)

From Phoebe Williams, submitting copy of letter she received from Brayton & Purcell regarding contract information on the status of an asbestos bill. (80)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
MAR - 2 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 7, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Peskin

1. 060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]**
Mayor
Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.
(Fiscal impact.)

2/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

2. **060078** **[Capital Expenditure Plan; timeline amendments for initial submission and approval]**
Supervisor Elsbernd
Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.

2/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. **051562** **[Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District]**
Supervisor Maxwell
Ordinance amending Zoning Map Section 10 and 10SU of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

2/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

4. **051563** **[Third Street and Oakdale Avenue Affordable Housing Special Use District]**
Supervisor Maxwell
Ordinance adding Planning Code Section 249.30 to establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, and making findings including findings under the California Environmental Quality Act and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

2/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

5. 052044 **[Settlement of Lawsuit - Mary Williams]**
Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al.
(City Attorney)

2/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

6. 060006 **[Settlement of Claims - Pacific Gas & Electric Company]**
Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

2/28/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 060097 **[Settlement of Lawsuit - Maria Castillo]**
Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al.
(City Attorney)

2/28/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

8. 060099 **[Settlement of Lawsuit and Grievance - Gary Thompson]**

Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143.
(City Attorney)

2/28/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Maxwell

9. 051792 **[Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]**
Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi
Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

2/14/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
2/14/2006, CONTINUED. Continued as amended to February 28, 2006.
2/28/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
2/28/2006, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Dufty, Peskin

10. 060205 [Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]

Supervisors Daly, Ammiano

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

2/14/2006, CONTINUED. Continued to February 28, 2006
Supervisor Ammiano requested to be added as a co-sponsor.

2/28/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

11. 051908 **[Health Care Accountability Ordinance]**
Supervisors Ammiano, McGoldrick
Ordinance amending the San Francisco Administrative Code by amending Sections 12Q.2.1, 12Q.2.2, 12Q.2.9, 12Q.3, 12Q.4, 12Q.5 and 12Q.6, and adding Sections 12Q.5.1, and 12Q.5.2, and 12Q.8 to: change the requirements of the Health Care Accountability Ordinance with respect to health benefit plans, exemptions for certain categories of employees and agreements, and the payment rates due from employers; authorize the Health Commission to increase the payment rates; authorize the withholding of contract payments; make both substantive and clarifying changes with respect to obligations imposed on Contracting Parties for notification, investigation, auditing, inspection, enforcement, and settlement procedures; revise procedures for the assessment of liquidated damages; establish a process for determining violations and for the administrative appeal of such determinations; authorize waiver of requirements of the Ordinance through collective bargaining; and ratify certain administrative actions.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

12. 060215 **[To appropriate $4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.]**
Supervisor Daly
Ordinance appropriating $4,910,000, including $3,570,000 of funding from the General Fund Reserve and de-appropriating $1,300,000 in workers' compensation savings and $40,000 in permanent miscellaneous salary cost savings, to fund the cost overruns of overtime, and adjust salaries and fringe benefits in the Police Department for Fiscal Year 2005-06.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

13. 060031 [Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space]

Supervisor Dufty

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 060244 [Water Line Relocation Agreement]

Supervisor Peskin

Resolution approving and authorizing the execution and delivery of a Water Line Relocation Agreement with San Francisco Community College ("City College") authorizing the exchange of real property interests in the City and County of San Francisco following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

(Supervisor Daly dissenting in committee.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

15. 060130 [Emergency replacement of chiller at San Francisco General Hospital]

Resolution approving an emergency public work contract of the replacement of a chiller at San Francisco General Hospital.

(Public Works Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

16. 051889 **[Policy that the City should supply electricity to new City developments where feasible]**
Supervisors Mirkarimi, Sandoval
Ordinance amending the Administrative Code to add Chapter 99: Public Power in New City Developments, establishing as the policy of the City and County of San Francisco that, where feasible, the City shall be the electricity provider for new City developments, including military bases and redevelopment projects.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval

17. 060085 **[Hunters Point Shoreline Interim Controls]**
Supervisors Maxwell, McGoldrick, Alioto-Pier
Resolution adopting interim zoning controls in the Hunters Point Shoreline area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

18. 060223 **[MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]**
Mayor
Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

19. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

20. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

21. 060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**
Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Question: Shall this Motion be APPROVED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 22 through 38

22. **060248** **[Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at Pier 96]**

Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. **060249** **[Authorizing the Director of the Department of Public Works to accept and expend federal grant funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue Pavement Renovation Project]**

Supervisor Ammiano

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue Pavement Renovation Project.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. **060257** **[Apply for grants from a state agency - Department of the Environment]**

Supervisor Ma

Resolution authorizing the Department of the Environment to apply for a planning grant from the California Cultural and History Endowment in the amount of $138,060 to be used for design development and construction documents for the renovation its new site on the ground floor of 25 Van Ness.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 060258 **[Accept-Expend Equipment - Police Department]**
Supervisor Ma
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP.CTAC).

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

26. 060259 **[Supporting S.B. 1033 and H.R. 2330 to improve security and immigration]**
Supervisors Ma, Elsbernd
Resolution supporting S.B. 1033 and H.R. 2330, the Kennedy/McCain Bill to improve security and immigration.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 060268 **[Authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant]**
Mayor
Resolution authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 060269 **[Urging the IRS to reconsider ruling Domestic Partners and Community Property]**
Supervisor Ammiano
Resolution urging the IRS to reconsider their ruling on Domestic Partners and Community Property, and their declaration that everyone must file separately.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 060270 **[Urging the Los Altos City Council to reconsider an amendment forbidding official proclamations referring to ethnicity, race, religion or sexual orientation]**
Supervisors Ammiano, Dufty
Resolution urging the Los Altos City Council to reconsider its decision to pass an amendment forbidding official proclamations which make reference specifically to ethnicity, race, religion, or sexual orientation.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 060271 [Urging Representatives Nancy Pelosi and Tom Lantos to support HR 4232, the "End the War in Iraq Act of 2005"]

Supervisors Daly, Ammiano, Mirkarimi

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring HR 4232, the End the War in Iraq Act of 2005, introduced by Representative Jim McGovern; and urging Senators Diane Feinstein and Barbara Boxer to file legislation to the same effect in the Senate.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 060272 [Commending Vicki McWilliams]

Supervisor Daly

Resolution commending Vicki McWilliams for her work to support community based organizations, improve communications and facilitate working relationships between government, business and community in the Mid-Market, Union Square and South of Market neighborhoods.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060273 [Grant of Regional Funds - Municipal Transportation Agency]

Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 060274 [Accept-Expend Federal Grant - Department of the District Attorney]

Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 060275 [Commending Amy Ackerman]

Supervisor Peskin

Resolution commending Amy Ackerman for her 16 years of service with the City Attorney's Office and declaring March 1, 2006 "Amy Ackerman Day" in San Francisco.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 060278 **[Request for a backup plan for the June and November 2006 elections]**

Supervisor Mirkarimi

Resolution requesting the Department of Elections to prepare and present to the Board of Supervisors a backup plan for the June and November 2006 elections in case the Department's currently chosen vendor fails to have its voting equipment certified in time for use in such elections.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 060279 **[Commending Jill Pfeiffer]**

Supervisor Sandoval

Resolution commending Jill Pfeiffer for her service as the Director of Excelsior Family Connections and her dedication to the Excelsior community.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

37. 060276 **[Extending Time for Labor Negotiations to June 30, 2006]**

Supervisor Peskin

Motion extending time for labor negotiations to June 30, 2006, pursuant to Charter Section 11.100.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

38. 060277 **[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 6, 2006 Election]**

Supervisor Peskin

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendment approved by the Board of Supervisors for submittal to the voters at the June 6, 2006 Election.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

39. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCE

Proposed ordinance received from February 20, 2006 through February 27, 2006, for reference by President to appropriate committee on March 7, 2006.

060245 **[Settlement of Lawsuit - Tutor Saliba Corporation, et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009.
(City Attorney)

2/27/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

Proposed resolution received from February 20, 2006 through February 27, 2006, for reference by President to appropriate committee on March 7, 2006.

060239 **[Airport Revenue Bonds]**
Resolution approving a form of letter of credit and reimbursement agreement relating to the Airport subordinate commercial paper notes and related matters.
(Airport Commission)

2/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060292 **[Petitions and Communications]**

Petitions and Communications received from February 20, 2006 through February 27, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 7, 2006.

From Police Department, submitting request for wavier of Administrative Code Chapters 12B and 12C for Bill Graham Civic Auditorium Convention Facility. (1)

From Marie Brooks, urging the Board of Supervisors to stay focused on fixing local problems, such as having a clean, safe, healthy city for young and old to live in. (2)

From Department of Elections, certifying that the Initiative Ordinance for "Laguna Honda Zoning for Health Care Facilities" does quality for the June 6, 2006 Consolidated Primary Election in the City and County of San Francisco. Copy: City Attorney (3)

From Redevelopment Agency, submitting report regarding property sales subject to the California Health and Safety Code. (4)

From Sue Vaughan, submitting support for proposed amendments to the living wage law. (5)

From Office of the Controller, submitting opinion on the proposed Charter amendment that would establish a Homicide Prevention Plan and Planning Council. File 052009, Copy: Each Supervisor (6)

From Department of Human Services, submitting request for wavier of Administrative Code Chapters 12B and 12C for Target Department Store. (7)

From Supervisor Maxwell, submitting copy of letter sent to the Chief of Police regarding community policing at the March 6, 2006 Select Committee on Ending Gun and Gang Violence. (8)

From Office of the City Attorney, submitting notice that appeal of determination of exemption from environmental review for 229 32nd Avenue was filed in a timely manner. File 060240 (9)

From Office of the City Attorney, submitting notice that the appeal of determination of exemption from environmental review for the Bernal Heights Park Open Space Improvements Phase 2 Project was not filed in a timely manner. File 060198 (10)

From Beverages & More, submitting request for a Type 21 and 42 liquor license for Beverages and More at 1301 Van Ness Avenue. (11)

From Department of Human Resources, regarding the pilot mediation program to resolve employment discrimination complaints. (12)

From Department of Human Resources, regarding the Asian Art Museum's authority to make a policy barring a union representative from entering the museum without the purchase of a ticket. (Reference No. 20060207-010) Copy: Supervisor Daly (13)

From Sunshine Ordinance Task Force, regarding complaint filed by Dr. Ahimsa Porter Sumchai against Supervisor Maxwell for alleged inadequate proper notice of the December 6, 2005 Land Use Committee meeting. Copy: Supervisor Maxwell (14)

From concerned citizens, submitting support for full funding of the NERT program taught by the Fire Department. (15)

From Office of the Controller, submitting report on the concession audit of Harbor Airport, LLP. (16)

From Department of Public Works, regarding graffiti removal from various locations. (Reference No. 20060110-008) Copy: Supervisor Mirkarimi (17)

From Department of Public Works, regarding repair of pothole at 940 Fillmore Street. (Reference No. 20060207-001) Copy: Supervisor Mirkarimi (18)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for various employees. (19)

From concerned citizens, commenting on statements about the military and the USS Iowa made by San Francisco Supervisor Sandoval on the Hannity and Colmes show. Copy: Each Supervisor (20)

From Joseph Soldis, regarding Officer Gordon's alleged unprofessional conduct and the subsequent cover-up by high-ranking members of the Richmond Police Station. (21)

From Carla King, describing several potentially dangerous incidents with dogs being off-leash at Baker Beach. Copy: Each Supervisor (22)

From Office of the Controller, informing the Board that the Office of Economic Analysis has been established and is able to review legislation to determine economic impact to the City beginning March 1, 2006. (23)

From Office of the Controller, submitting a cost analysis of an amendment to the MOU between the City and County of San Francisco and the San Francisco Fire Fighters Union. File 060223, Copy: Government Audit and Oversight Committee (24)

From Joe Valenciano, submitting copy of letter sent to the Department of Parking and Traffic about the non-enforcement of parking laws in front of his residence at 935 Ulloa Street. (25)

From Kelly Simpson, commenting that Jefferson Street (along Fisherman's Wharf) should be a two-way street. Copy: Supervisor Alioto-Pier (26)

From William Quirie, submitting opposition to proposed legislation regarding the Better Neighborhoods Plus Planning and the Implementation Process. File 050601, Copy: Each Supervisor (27)

From Ann Marie Marinakis, concerning the Falun Gong practitioners being denied participation in the San Francisco Chinese New Year Parade. Copy: Supervisor Daly (28)

From Office of the Controller, submitting report concerning the concession review of Guardino's Souvenir & Gift Shop, Inc. and Sabella and LaTorre Sea Food. (29)

From Office of the Controller, regarding audit of Thrifty Rent-A-Car System, Inc. (30)

From Office of the Controller, regarding audit of Alamo Rent-A-Car, Inc. and National Car Rental System, Inc. (31)

From Carol Overman, commenting on the proposed study to possibility erect a suicide barrier on the Golden Gate Bridge. Copy: Each Supervisor (32)

From Mark Tully, regarding legal advice on the minimum wage claim against M&M Luxury Airport Shuttle. (33)

From Comcast Cable, announcing that starting March 3, 2006 and continuing throughout the year, Comcast will add an "all digital simulcast" for all new customers. (34)

From SF District, Corps of Engineers, regarding proposed project in an unincorporated area of Santa Rosa (35)

From Harvey Sherback, regarding the speech he gave at the Treasure Island Development Authority Board of Directors meeting on January 23, 2006. Copy: Each Supervisor (36)

From Ahimsa Sumchai, commenting on various issues in San Francisco. (37)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 2, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006.	060250	City Operations and Neighborhood Services Committee	Supervisors McGoldrick, Mirkarimi, Peskin	2/28/06	3/28/06
Ordinance adding Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with exceptions.	060265	Land Use and Economic Development Committee	Supervisor Maxwell	2/28/06	3/28/06
Ordinance amending various sections of the Campaign and Government Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Code Finance Reform Ordinance.	060267	Rules Committee	Mayor	2/28/06	3/28/06
Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna and Fillmore Streets.	060266	Land Use and Economic Development Committee	Supervisor Mirkarimi	2/28/06	3/28/06
Charter amendment (First Draft) District elections, term limits, and instant runoff voting for Board of Education members; conditions for School District to receive money from the Public Education Enrichment Fund.	060261	Rules Committee	Supervisor Alioto-Pier	2/28/06	3/28/06

Ordinance amending Traffic Code to establish a single consolidated list of weight-restricted streets.	060162	City Operations and Neighborhood Services Committee	Department of Parking and Traffic	2/28/06	3/28/06
Ordinance imposing reporting requirements for gifts of travel to public officials from persons and entities other than the City.	060217	Rules Committee	Supervisors Sandoval, Ammiano	2/14/06	3/14/06
Ordinance to require electronic disclosure of campaign contributions received by candidates for City Elective Office during the final forty-five days before an election at which the candidate's name will appear on the ballot.	060227	Rules Committee	Mayor	2/14/06	3/14/06
Ordinance increasing reporting requirements and liquidated damages and civil penalty provisions for violations of the First Source Hiring Program.	060166	Rules Committee	Supervisor Mirkarimi	2/7/06	3/7/06
Ordinance to require sponsors of events involving street closure to procure and install barricades required to maintain public safety.	060169	City Operations and Neighborhood Services Committee	Supervisor Peskin	2/7/06	3/7/06
Ordinance requiring residential hotel owners to provide a United States Postal Service approved mail receptacle for each residential unit and to provide for an appeal to the Rent Board for violation of this requirement.	060188	Land Use Committee	Supervisor Daly	2/7/06	3/7/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
MAR 10 2006
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 14, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for February 7, 2006 and February 14, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

1. 060215 **[To appropriate $4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.]**
Supervisor Daly
Ordinance appropriating $4,910,000, including $3,570,000 of funding from the General Fund Reserve and de-appropriating $1,300,000 in workers' compensation savings and $40,000 in permanent miscellaneous salary cost savings, to fund the cost overruns of overtime, and adjust salaries and fringe benefits in the Police Department for Fiscal Year 2005-06.
(Fiscal impact.)

3/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

2. 051908 [Health Care Accountability Ordinance]

Supervisors Ammiano, McGoldrick, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 12Q.2.1, 12Q.2.2, 12Q.2.9, 12Q.3, 12Q.4, 12Q.5 and 12Q.6, and adding Sections 12Q.5.1, and 12Q.5.2, and 12Q.8 to: change the requirements of the Health Care Accountability Ordinance with respect to health benefit plans, exemptions for certain categories of employees and agreements, and the payment rates due from employers; authorize the Health Commission to increase the payment rates; authorize the withholding of contract payments; make both substantive and clarifying changes with respect to obligations imposed on Contracting Parties for notification, investigation, auditing, inspection, enforcement, and settlement procedures; revise procedures for the assessment of liquidated damages; establish a process for determining violations and for the administrative appeal of such determinations; authorize waiver of requirements of the Ordinance through collective bargaining; and ratify certain administrative actions.

(Fiscal impact.)

3/7/2006, PASSED ON FIRST READING. Supervisor Ma requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

3. 060031 [Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space]

Supervisor Dufty

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision.

3/7/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

4. 060223 **[MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]**
Mayor
Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

3/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

5. 051889 **[Policy that the City should supply electricity to new City developments where feasible]**
Supervisors Mirkarimi, Sandoval, Maxwell, Daly, Peskin, Ammiano
Ordinance amending the Administrative Code to add Chapter 99: Public Power in New City Developments, establishing as the policy of the City and County of San Francisco that, where feasible, the City shall be the electricity provider for new City developments, including military bases and redevelopment projects.

3/7/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

6. 060164 **[Settlement of Lawsuit - CCSF v. ARCO et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 060163 **[Settlement of Claim - James Mead]**
Resolution approving the settlement of the unlitigated claim filed by Mr. James Mead, against San Francisco for $77,500; claim was filed on June 22, 2005.

Question: Shall this Resolution be ADOPTED?

8. 060282 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Pueng Vongs, term ending April 27, 2007, and Hanley Chan, term ending April 27, 2006, to the Sunshine Ordinance Task Force.

Pueng Vongs, succeeding Rosalina Contrereas-Rosado, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a two-year term ending April 27, 2007.
Hanley Chan, succeeding Edgar Parker, Jr., resigned, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006.

Question: Shall this Resolution be ADOPTED?

9. 060283 [Appointment - Library Citizens Advisory Committee]

Resolution appointing Richard Lee Mason, term ending July 18, 2006, to the Library Citizens Advisory Committee.

Richard Lee Mason, succeeding Gayle Leyton, seat 12, must be member from the community at large, representative of senior citizens, for the unexpired portion of a two-year term ending July 18, 2006.

Question: Shall this Resolution be ADOPTED?

10. 060285 [Appointment - Graffiti Advisory Board]

Resolution appointing Deborah Mansfield and Doug Diboll, for indefinite terms, to the Graffiti Advisory Board.

Deborah Mansfield, succeeding John Omernik, seat 8, resigned, must represent private schools operating in San Francisco, for an indefinite term.
Doug Diboll, succeeding Deborah Mansfield, seat 11, resigned, non-voting member, must represent neighborhood organization, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

11. 060281 [Appointment - Small Business Commission]

Motion appointing David Chiu, term ending January 6, 2010, to the Small Business Commission.

David Chiu, succeeding David Sahagun, seat 2, term expired, must be appointed by the Board of Supervisors and be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2010.

Question: Shall this Motion be APPROVED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

12. 050298 **[Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark]**
Supervisor Peskin
Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 060081 **[Minor Sidewalk Encroachments - Partial repeal of public right-of-way occupancy assessment fee]**
Supervisors Alioto-Pier, Dufty, Maxwell
Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for specified minor sidewalk encroachments and to delineate those specified minor sidewalk encroachments for which the fee shall apply; and making repeal of the fee for specified encroachments set forth herein retroactive to August 29, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 060216 **[To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]**
Supervisors Daly, Mirkarimi
Ordinance appropriating $14,366,156 to the Department of Public Health, including $7,777,353 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, $1,800,000 in transfer from PUC Mayor's Economic Conservation Account (MECA) Fund and $4,048,803 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the $7,777,353 in surplus health revenues for SFGH salaries, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, $1,800,000 for the SFGH Chiller/Generator project and appropriating $3,998,803 for salaries, and non-personnel at Laguna Honda Hospital and $50,000 in salaries at Department of Public Health. (Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 060254 [Public Employment - Department of Public Health]
Mayor
Ordinance amending Ordinance No. 2004-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of one position in the Department of Public Health.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 060131 [Modification of Easement Deed]
Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

17. 060079 **[Lease of Real Property at One South Van Ness Avenue]**
Mayor
Resolution authorizing the lease of approximately 66,565 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency and the City and County of San Francisco's 311 Call Center.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, March 9, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 14, 2006.

18. 060151 **[Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by enacting penalties for violation]**
Mayor
Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, March 13, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 14, 2006.

19. 060274 [Accept-Expend Federal Grant - Department of the District Attorney]
Supervisor Maxwell
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

3/7/2006, REFERRED to Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

20. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

21. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 22 through 27

22. 060271 **[Urging Representatives Nancy Pelosi and Tom Lantos to support HR 4232, the "End the War in Iraq Act of 2005"]**
Supervisors Daly, Ammiano, Mirkarimi
Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring HR 4232, the End the War in Iraq Act of 2005, introduced by Representative Jim McGovern; and urging Senators Diane Feinstein and Barbara Boxer to file legislation to the same effect in the Senate.

2/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/2006, CONTINUED. Continued to March 14, 2006

Question: Shall this Resolution be ADOPTED?

23. 060322 **[Commending Janet Rogers]**
Supervisor Elsbernd
Resolution commending Janet Rogers on the celebration of her 35 years of service to the City and County of San Francisco.

3/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 060323 **[Arbor Week March 13-18, 2006]**
Supervisor Ma
Resolution declaring March 13 – 18, 2006 as "Arbor Week" in the City and County of San Francisco.

3/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 060326 **[Declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco]**
Supervisor McGoldrick
Resolution declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco.

3/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

26. **060327** **[Commending Dr. David Smith]**
Supervisor Mirkarimi
Resolution commending Dr. David Smith for 39 years of service to the community at the Haight Ashbury Free Clinic.

3/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. **060328** **[Honoring the life of Mary Rogers]**
Supervisors Mirkarimi, Maxwell, Dufty
Resolution honoring the life of Mary Rogers for 40 years of community service to San Francisco fighting for the rights of a community.

3/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

28. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 28, 2006 through March 6, 2006, for reference by President to appropriate committee on March 14, 2006.

060302 **[Settlement of Lawsuit - Iva Hetzel]**
Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/6/2006, RECEIVED AND ASSIGNED to Rules Committee.

060303 **[Settlement of Lawsuit - Gisselle Shepherd]**
Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/6/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 28, 2006 through March 6, 2006, for reference by President to appropriate committee on March 14, 2006.

060290 **[Settlement Agreement Regarding SACPA Audit]**
Resolution approving the Health Department's entering into a Settlement Agreement with the State of California resolving the State's claim for reimbursement by the City and County of funds provided by the State to the County under the SACPA program for fiscal year July 1, 2001 through June 30, 2002.
(City Attorney)

2/28/2006, RECEIVED AND ASSIGNED to Rules Committee.

060293 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Jackson Street at Leavenworth Street, westbound, making this intersection an All-Way STOP;
Monterey Boulevard and Congo Street, stopping Monterey Boulevard, making this intersection an All-Way STOP;
14th and Harrison Streets, stopping Harrison Street, making this intersection an All-Way STOP; and,
San Bruno Avenue at Felton Street, stopping San Bruno Avenue, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060294 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, from the 1100 block of Rhode Island to 22nd Street (1000 block); and,
Bryant Street, both sides, between 21st and 22nd Streets (2300 block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Lincoln Avenue, south side, between 7th and 8th Avenues (600 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, west side, between Haight and Waller Streets (200 block, odd numbers).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between Cesar Chavez and 27th Streets (portion of the 1400 block).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Geary Street, south side, from the Powell Street intersection to 138 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
South Van Ness Avenue, west side, from 60 to 100 feet north of Cesar Chavez Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Harriet Street, west side, from 245 feet to 292 feet north of Bryant Street (A 47-foot zone accommodating 12 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING, 8 PM TO 4 AM, FRIDAY NIGHT THROUGH SUNDAY MORNING - ESTABLISH
Broadway, both sides, between Columbus Avenue and Montgomery Street.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, between Main and Beale Streets.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY – RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

BUS STOP, TOW-AWAY, NO PARKING, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Howard Street, south side, from Spear Street to 90 feet easterly.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Holyoke Street, west side, between Woolsey Street and Karen Court.

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Guerrero Street, east side, from 21st Street to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
10th Avenue, east side, between the driveways of 1365 and 1371 10th Avenue (accommodating 2 unmetered motorcycle spaces).
(Parking and Traffic Department)
(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060295 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Howard Street, eastbound, approaching Spear Street.

BICYCLE LANE - ESTABLISH
Howard Street, westbound, from the Embarcadero to Fremont Street

BICYCLE LANE - ESTABLISH
Northbound Potrero Avenue at the Cesar Chavez Interchange, from the 101 southbound off-ramp to 190 feet southerly.

MULTIPLE LEFT TURN LANES - RESCIND
Fell Street, westbound, at Octavia Boulevard.

LEFT LANE MUST TURN LEFT - RESCIND
Fell Street, westbound, at Octavia Boulevard.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - RESCIND
Van Ness Avenue southbound, at Bay Street
(Parking and Traffic Department)
(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060296 **[Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study, Yr. 2]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $55,140 to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2005, to June 30, 2006.
(Public Health Department)

3/1/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060339 **[Petitions and Communications]**

Petitions and Communications received from February 28, 2006 through March 6, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 14, 2006.

From the San Francisco Living Wage Coalition, submitting petition urging the Board of Supervisors to vote for proposed amendments to the living wage law. File 051907, Copy: Budget and Finance Committee (1)

From M&M Group Assets, Inc., submitting request to transfer a Type 48 liquor license to DaDa SF Studio at 86 Second Street. (2)

From Department of Elections, regarding disclaimer requirements for local ballot measures. Copy: Each Supervisor (3)

From Supervisor Maxwell, submitting three amendments to the Deemed Approved Off-Sale Alcohol Use Ordinance. File 051792, Copy: Each Supervisor (4)

From Human Rights Commission, urging the implementation of File 001564 whereby the Police Department and associated law enforcement agencies rigorously prosecute those who violate sex workers and reallocate prostitution prosecution resources to programs that help sex workers leave prostitution. Copy: Each Supervisor (5)

From Clerk of the Board, submitting copy of letter from the Controller informing the Board of Supervisors that the Office of Economic Analyst (OEA) has been established and will begin to review legislation on March 1, 2006. (6)

From Redevelopment Agency, regarding the unexpected and imminent closure of the AMC Kabuki Theater (resulting from the merger settlement affirmed by State Attorney General Bill Lockyer). (Reference No. 20060110-002) Copy: Supervisor Mirkarimi (7)

From Redevelopment Agency, regarding the status of upkeep and maintenance of 1210 Scott Street. (Reference No. 20060214-003) Copy: Supervisor Mirkarimi (8)

From Municipal Transportation Agency, regarding the process of the installation of the pedestrian pass at the median of Lincoln and 9th Avenue. (Reference No. 20060214-001) Copy: Supervisor Mirkarimi (9)

From Director of Purchasing, submitting notice that the Purchasing Department does not collect data as to where the goods of CCSF are manufactured. (Reference No. 20060207-012) Copy: Supervisor Daly (10)

From concerned citizens, submitting support for Proposition H gun ban. Copy: Each Supervisor (11)

From Human Services Agency, submitting request for release of reserved funds for the Department of Aging and Adult Services Long Term Care Project in the amount of $1,675,000. (12)

From West of Twin Peaks Central Council, urging the Board of Supervisors to refer the "Better Neighborhoods Plus" proposed legislation back to the Planning Commission for public hearing and a recommendation. File 050601 (13)

From concerned citizens, submitting support for continued funding of the N.E.R.T. program taught by the Fire Department. (14)

From Municipal Transportation Agency, submitting fiscal year 2006-07 operating budget. File

060280, Copy: Each Supervisor (15)

From Merced Manor Property Owners' Association, Inc., submitting 138 signed petitions from San Francisco residents urging the Board to vote no on the proposed "Better Neighborhoods Plus Planning and Implementation Process". File 050601, Copy: Each Supervisor (16)

From concerned citizens, submitting support for resolution urging the impeachment of President Bush. File 060156, Copy: Each Supervisor (17)

From concerned citizens, submitting opposition to resolution urging the impeachment of President Bush. File 060156, Copy: Each Supervisor (18)

From Metreon Entertainment Center, regarding the 1988 reciprocal easement agreement between the Redevelopment Agency and the City and County of San Francisco, relating to property located at 101 Fourth Street. (19)

From Frank Herron, regarding Section 8 vouchers for San Francisco residents. File 060182, Copy: Each Supervisor (20)

From concerned citizens, submitting support for proposed legislation establishing new requirements for residential off-street parking in C-3 districts. File 051453, Copy: Each Supervisor (21)

From David Ross, submitting opposition to proposed legislation establishing new requirements for residential off-street parking in C-3 districts. File 051453, Copy: Each Supervisor (22)

From concerned citizens, regarding the number of fare evaders that ride on Muni. Copy: Each Supervisor (23)

From Naomi Winch, commenting on a televised program on the A&E Channel regarding the S.F.P.D. vice squad. Copy: Each Supervisor (24)

From John Gunther, regarding the cost of parking in the business district of Ocean Avenue. Copy: Supervisor Elsbernd (25)

From Robert Gaebler, regarding alleged illegal activity at 350 Divisadero Street. Copy: Each Supervisor (26)

From Airport Commission, submitting the Combined Charities Campaign Final Report for fiscal year 2005. (27)

From Bruce Brugmann, submitting copy of letter sent to Supervisor Ammiano regarding a housing moratorium for the southeast section of San Francisco. (28)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported for the period ending February 28, 2006. (29)

From Brian Curtin, regarding the high cost of parking tickets in San Francisco. Copy: Mayor (30)

From Ahimsa Sumchai, submitting letter regarding how to challenge the Bay View/Hunters Point Redevelopment Projects Environmental Impact Report. (31)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 9, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006.	060250	City Operations and Neighborhood Services Committee	Supervisors McGoldrick, Mirkarimi, Peskin	2/28/06	3/28/06
Ordinance adding Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with exceptions.	060265	Land Use and Economic Development Committee	Supervisor Maxwell	2/28/06	3/28/06
Ordinance amending various sections of the Campaign and Government Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Code Finance Reform Ordinance.	060267	Rules Committee	Mayor	2/28/06	3/28/06
Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna and Fillmore Streets.	060266	Land Use and Economic Development Committee	Supervisor Mirkarimi	2/28/06	3/28/06
Charter amendment (First Draft) District elections, term limits, and instant runoff voting for Board of Education members; conditions for School District to receive money from the Public Education Enrichment Fund.	060261	Rules Committee	Supervisor Alioto-Pier	2/28/06	3/28/06

Ordinance amending Traffic Code to establish a single consolidated list of weight-restricted streets.	060162	City Operations and Neighborhood Services Committee	Department of Parking and Traffic	2/28/06	3/28/06
Ordinance imposing reporting requirements for gifts of travel to public officials from persons and entities other than the City.	060217	Rules Committee	Supervisors Sandoval, Ammiano	2/14/06	3/14/06
Ordinance to require electronic disclosure of campaign contributions received by candidates for City Elective Office during the final forty-five days before an election at which the candidate's name will appear on the ballot.	060227	Rules Committee	Mayor	2/14/06	3/14/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT
MAR 17 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 21, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

1. 050298 **[Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark]**
Supervisor Peskin
Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

3/14/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 060081 **[Minor Sidewalk Encroachments - Partial repeal of public right-of-way occupancy assessment fee]**

Supervisors Alioto-Pier, Dufty, Maxwell

Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for specified minor sidewalk encroachments and to delineate those specified minor sidewalk encroachments for which the fee shall apply; and making repeal of the fee for specified encroachments set forth herein retroactive to August 29, 2005.

3/14/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 060216 **[To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]**

Supervisors Daly, Mirkarimi

Ordinance appropriating $14,366,156 to the Department of Public Health, including $7,777,353 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, $1,800,000 in transfer from PUC Mayor's Economic Conservation Account (MECA) Fund and $4,048,803 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the $7,777,353 in surplus health revenues for SFGH salaries, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, $1,800,000 for the SFGH Chiller/Generator project and appropriating $3,998,803 for salaries, and non-personnel at Laguna Honda Hospital and $50,000 in salaries at Department of Public Health. (Fiscal impact.)

3/14/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 060254 **[Public Employment - Department of Public Health]**

Mayor

Ordinance amending Ordinance No. 2004-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of one position in the Department of Public Health.

3/14/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

5. 060046 **[Liquor License - 1141 Polk Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Raimondo Morrone for Space Gallery located at 1141 Polk Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

6. 060057 **[Liquor License, 1168 Folsom Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Craig Wathen, for City Beer Store located at 1168 Folsom Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

7. 060186 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Police Department computing environment and network infrastructure]**

Supervisor Ma

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $986,643 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of renovating the Police Department computing environment and network infrastructure for the new Records Management System (RMS) application. The new system will provide a more efficient work environment, more accurate information and enhanced safety for both the public and officers.

Question: Shall this Resolution be ADOPTED?

8. 060187 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Violence Prevention Plan]**

Supervisor Ma

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $248,170 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through a subcontract with the University of California–San Francisco (UCSF) for the purpose of developing a city-wide Violence Prevention Plan.

Question: Shall this Resolution be ADOPTED?

9. 060228 **[Grant to develop clinical guidelines for HIV positive transgender persons]**

Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of $110,343 from the Health Resources and Services Administration (HRSA) to develop clinical guidelines for HIV positive transgender persons, and to enter into an agreement for the use of these funds; for the period of September 30, 2005, to September 29, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

10. 060151 **[Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by enacting penalties for violation]**

Mayor

Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.

3/14/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 060164 **[Settlement of Lawsuit - CCSF v. ARCO et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

3/14/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 060245 **[Settlement of Lawsuit - Tutor Saliba Corporation, et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto
Consideration to override veto pursuant to Charter Section 2.106 of Ordinance changing parking requirements in San Francisco's downtown (C-3) district.

13. 051453 **[Off-Street Parking In C-3 Zoning Districts]**
Supervisors Peskin, Daly
Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 10, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before April 10, 2006.

2/7/2006, PASSED ON FIRST READING.
2/14/2006, AMENDED. Amended by changing the effective date of the legislation to June 1, 2006.
2/14/2006, PASSED ON FIRST READING AS AMENDED.
2/28/2006, FINALLY PASSED.
Action:_____

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Peskin

14. 060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]**

Mayor

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

2/28/2006, PASSED ON FIRST READING.

3/7/2006, CONTINUED. Continued to March 21, 2006

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

15. 060226 **[To appropriate $6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate $1,900,000 for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006]**

Mayor

Ordinance appropriating $6,565,452, including the de-appropriation of $1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, $2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, $1,503,000 from General Fund Capital Program Projects, $453,000 from workers' compensation savings, and $117,994 from Juvenile Hall California Youth Authority General Fund operational savings, to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating $1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

(Supervisors Daly and Peskin dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 060208 **[Authorize payment of performance fees and for final closeout of the Water Infrastructure Partners contract for an amount not to exceed $487,726]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 4 for final closeout of the Agreement with the Water Infrastructure Partners for an amount not to exceed $487,726.

(Public Utilities Commission)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

17. 051962 **[Membership in the Asthma Task Force]**

Supervisor Maxwell

Ordinance amending Sections 19A.20 and 19A.23 of the San Francisco Administrative Code to reduce the number of voting members in the Asthma Task Force from 20 to 15 members, modify the list of non-voting members from City agencies, and extend the Task Force expiration date to June 30, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

18. **060136** **[Public Hearing]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Clerk of the Board)

Action:_____

19. **060137** **[Report of assessment costs for sidewalk and curb repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(DPW Order No. 175,878; Locations: 220 Jones Street and 1101 Persia Avenue.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 060359.)

20. **060348** **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

21. 060349 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, March 16, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 21, 2006.

22. 060316 **[Accept-Expend Federal and State Grants for Voting Equipment]**
Supervisor Mirkarimi
Resolution approving the application for funds under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 authorizing the San Francisco Department of Elections to accept and expend grants in an amount not to exceed $3.5 million from the California Secretary of State for utilization of Elections Systems & Software's ("ES&S") AutoMARK in the June 6, 2006 election.

Question: Shall this Resolution be ADOPTED?

23. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

24. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 33

25. 060359 **[Emergency Disadvantaged Business Enterprise Program - March 21, 2006, Committee of the Whole]**

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on March 21, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

26. 060340 **[Urging Governor Schwarzenegger to submit amicus brief to New York Supreme Court of Appeals in support of the right of same-sex civil marriage]**

Supervisor Ammiano

Resolution urging Governor Schwarzenegger to submit an amicus brief to the New York Court of Appeals in support of the right of same-sex civil marriage.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 060356 **[Urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples]**

Supervisors Ammiano, Dufty, Alioto-Pier, Mirkarimi

Resolution urging Cardinal William Levada, in his capacity as head of the Congregation for the Doctrine of the Faith at the Vatican, to withdraw his discriminatory and defamatory directive that Catholic Charities of the Archdiocese of San Francisco stop placing children in need of adoption with homosexual households.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 060357 **[Administration of the South of Market (SOMA) Community Stabilization Fund]**

Supervisor Daly

Resolution approving support for the Mayor's Office of Community Development to administer the SOMA Community Stabilization Fund.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 060358 **[Commending Peter Tannen for his leadership in the Bicycle Program]**
Supervisor Dufty
Resolution commending Peter Tannen for his leadership in the Bicycle Program and his successful initiation of the Bike Plan creating safety measures dedicated to improve the streets of San Francisco and the safety of its bicyclists.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

30. 060360 **[Social Workers Month]**
Supervisor Peskin
Resolution proclaiming the month of March 2006 as Professional Social Work Month.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 060361 **[National Biological Foundry]**
Supervisors Peskin, Alioto-Pier
Resolution endorsing the application to the United States Department of Energy by the California Council on Science and Technology to establish a National Biological Foundry in San Francisco.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060362 **[Supporting Senate Bill 1749 - Transit Fare Evasion]**
Supervisor Peskin
Resolution endorsing Senate Bill 1749, a measure aimed at assisting the MTA in collecting greater revenues from minor transit citations, and urging its passage in the California State Legislature.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 060363 **[Protect California State Park Lands]**
Supervisor Peskin
Resolution requesting the Foothill/Eastern Transportation Corridor Agency immediately and permanently withdraw its plans to construct a toll road through the San Onofre State Beach and urging the Director of Public Finance to refrain from acquiring any bonds for, or making other financial investments in, the Toll Road project.

3/14/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 7, 2006 through March 13, 2006, for reference by President to appropriate committee on March 21, 2006.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 7, 2006 through March 13, 2006, for reference by President to appropriate committee on March 21, 2006.

060298 **[Street Encroachment at 1310 Stanyan Street]**
Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct a privately maintained driveway, including a low retaining wall, a stepped entry path, landscaping and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues, to provide vehicular access to a proposed new single family dwelling at 1310 Stanyan Street (Block 2706, Lot 035) conditioned upon the payment of an annual assessment fee of $5,600 and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

3/9/2006, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060299 **[Approve Contract with ValueOptions, Inc. for contract services to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]**
Resolution authorizing the Department of Public Health to retroactively contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2005 through June 30, 2008.
(Public Health Department)

3/13/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060375 **[Petitions and Communications]**

Petitions and Communications received from March 7, 2006 through March 13, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 21, 2006.

From Office of the Treasurer/Tax Collector, submitting a summary of all investments made by the City and County of San Francisco in companies and financial institutions with investments in the People's Republic of China. (Reference No. 20060207-011) Copy: Supervisor Daly (1)

From Office of the Mayor, vetoing proposed legislation regarding off-street parking in C-3 zoning districts. File 051453, Copy: Each Supervisor (2)

From Office of Emergency Services and Homeland Security, submitting request for release of Homeland Security grant funds placed on reserve during the fiscal year 2005-06 budget cycle. (3)

From Scott Raber, regarding the fire on the BART tracks between the Embarcadero and Montgomery Street stations. Copy: Each Supervisor (4)

From Department of Parking and Traffic, regarding the status of replacing the right turn sign on Lake Merced Boulevard and Clearfield Drive, which was removed during the October 2005 golf tournament. (Reference No. 20060131-001) Copy: Supervisor Elsbernd (5)

From Department of Parking and Traffic, concerning repainting the sharrows on Page Street between Masonic Avenue and Baker Street. (Reference No. 20060207-006) Copy: Supervisor Mirkarimi (6)

From Department of Parking and Traffic, regarding the status of graffiti removal on parking signs near 1263, 1267, 1473 and 1703 Oak Street. (Reference No. 20060207-005) Copy: Supervisor Mirkarimi (7)

From Department of Parking and Traffic, regarding the status of completely removing the sawed off parking sign poles at 1280 Webster Street. (Reference No. 20060214-001) Copy: Supervisor Mirkarimi (8)

From Department of Parking and Traffic, regarding the status of reattaching the parking street sign at the intersection of Fillmore and McAllister Streets. (Reference No. 20060214-004) Copy: Supervisor Mirkarimi (9)

From Department of Parking and Traffic, regarding the installation of an additional no left turn sign on the southeast corner of Broderick and Turk Streets. (Reference No. 20060228-002) Copy: Supervisor Mirkarimi (10)

From Recreation and Park Department, submitting information on the budget and scope of the Junipero Serra Project. (Reference No. 20060131-002) Copy: Supervisor Mirkarimi (11)

From Group Assets, Inc., submitting request to transfer a Type 47 liquor license from Bountiful Foods dba Delessio Market & Bakery at 1695 Market Street to a Type 48 liquor license at 86 Second Street. (12)

From Office of the Controller, submitting a concession review report for See's Candies to operate a store and two mobile carts to sell candy on Airport property. (13)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under Treasurer's management. (14)

From Department of Elections, submitting an update on the status of certification for Sequoia Voting Systems and addressing the concerns that members of the Rules Committee discussed during the

February 16th hearing regarding the certification status of Sequoia Voting Systems. Copy: Each Supervisor (15)

From Recreation and Park Department, submitting report for the 2nd quarter of fiscal year 2005-06 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. Copy: Supervisors Daly, Maxwell, Peskin (16)

From State Building Standards Commission, acknowledging receipt of Ordinance No. 32-06 on March 2, 2006. File 051743 (17)

From Department of Public Health, regarding health coverage for employees working 15 to 19 hours a week. File 051919, Copy: Each Supervisor (18)

From State Senate Rules Committee, submitting appointment of Cindy Gustafson of Tahoe City to the Fish and Game Commission. (19)

From Department of Public Health, submitting the monthly STD report for the month of January 2006. (20)

From Suzanne Berkman, Senior Eligibility Worker, commenting on the new computer system called CAL WIN. Copy: Supervisors Ma, McGoldrick (21)

From Mesha Monge-Irizarry, submitting copy of letter sent to the Sheriff regarding the treatment of Maurice Campbell by a deputy sheriff. (22)

From concerned citizens, submitting support for resolution urging the impeachment of President Bush. File 060156, Copy: Each Supervisor (23)

From concerned citizens, submitting opposition to resolution urging the impeachment of President Bush. File 060156, Copy: Each Supervisor (24)

Number not used. (25)

From Department of the Environment, submitting resolution supporting the Nixon Peabody Report at their March 8, 2006 Special Meeting. Copy: Each Supervisor (26)

From Office of the City Attorney, regarding the upcoming issuance of SFPUC Water Revenue Refunding Bonds (Series 2006 B). File 051981, Copy: Each Supervisor (27)

From PG&E, submitting notification of public participation hearings regarding Phase I and Phase II of Pacific Gas and Electric Company's 2007 General Rate Case. (28)

From State Department of Mental Health, submitting notice that a San Francisco Superior Court approved the conditional release of Mr. George, a sexually violent predator, from the Department of Mental Health's Atascadero State Hospital to begin outpatient treatment and supervision in San Francisco County. Copy: Department of Public Health (29)

From Michael Strausz, regarding the Redevelopment Agency's plan for the Bayview/Hunters Point project. (30)

From Pamela Calabrese-Cole, regarding her interest in opening a medicinal cannabis dispensary in San Francisco. Copy: Each Supervisor (31)

From Ed Volk, regarding the problem of loud noise from his upstairs neighbor. Copy: Supervisor Daly (32)

From John Kasper, regarding the disastrous street conditions in San Francisco. (33)

From John Steiner, regarding the increase from $27.00 to $60.00 for a San Francisco residential parking permit. Copy: Each Supervisor (34)

From Tom Sway, submitting copy of letter sent to the Department of Motor Vehicles protesting a $314.15 back storage fee. (35)

From Russ Sund, regarding posting rainbow flags on San Francisco light poles. Copy: Supervisor Dufty (36)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 16, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance adding a $1.00 fuel surcharge to taxi fares and eliminating the cap on taxicab gate fees	060077	Budget and Finance Committee	Supervisor Ma	3/14/06	4/14/06
Ordinance adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project	060343	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06
Ordinance amending Planning Code (Jackson Square Special Use District) to require that ground floor institutional use is subject to conditional use authorization.	060345	Land Use and Economic Development Committee	Supervisor Peskin	3/14/06	4/14/06
Ordinance amending Planning Code (Northwest corner of Divisadero and O'Farrell Streets) to change use from Small-scale Neighborhood Commercial District to Moderate-scale Neighborhood Commercial District.	060346	Land Use and Economic Development Committee	Supervisor Mirkarimi	3/14/06	4/14/06
Ordinance approving a Tax Increment Allocation and Sales Proceeds Agreement and Option Agreement for the Transbay Redevelopment Project Area.	060347	Budget and Finance Committee	Supervisor Daly	3/14/06	4/14/06
Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and	060354	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06

the eight priority policies of the Planing Code Section 101.1.					
Ordinance closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006.	060250 .	City Operations and Neighborhood Services Committee	Supervisors McGoldrick, Mirkarimi, Peskin	2/28/06	3/28/06
Ordinance adding Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with exceptions.	060265	Land Use and Economic Development Committee	Supervisor Maxwell	2/28/06	3/28/06
Ordinance amending various sections of the Campaign and Government Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Code Finance Reform Ordinance.	060267	Rules Committee	Mayor	2/28/06	3/28/06
Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna and Fillmore Streets.	060266	Land Use and Economic Development Committee	Supervisor Mirkarimi	2/28/06	3/28/06
Charter amendment (First Draft) District elections, term limits, and instant runoff voting for Board of Education members; conditions for School District to receive money from the Public Education Enrichment Fund.	060261	Rules Committee	Supervisor Alioto-Pier	2/28/06	3/28/06
Ordinance amending Traffic Code to establish a single consolidated list of weight-restricted streets.	060162	City Operations and Neighborhood Services Committee	Department of Parking and Traffic	2/28/06	3/28/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

MAR 24 2006

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 28, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for February 28, 2006 and Special Board Meeting Minutes for the Budget and Finance Committee Meeting for March 1, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 and 2

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

1. 051962 **[Membership in the Asthma Task Force]**
Supervisor Maxwell
Ordinance amending Sections 19A.20 and 19A.23 of the San Francisco Administrative Code to reduce the number of voting members in the Asthma Task Force from 20 to 15 members, modify the list of non-voting members from City agencies, and extend the Task Force expiration date to June 30, 2008.

3/21/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. **060245** **[Settlement of Lawsuit - Tutor Saliba Corporation, et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009.
(City Attorney)

3/21/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present. Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

3. 060226 **[To appropriate $6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate $1,900,000 for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006]**

Mayor

Ordinance appropriating $6,565,452, including the de-appropriation of $1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, $2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, $1,503,000 from General Fund Capital Program Projects, $453,000 from workers' compensation savings, and $117,994 from Juvenile Hall California Youth Authority General Fund operational savings, to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating $1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

(Supervisors Daly and Peskin dissenting in committee.)

3/21/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

4. **060141** **[To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital Plan]**

Mayor

Ordinance appropriating $16,342,714, including the de-appropriation of $15,707,484 in current project funding to use this source for appropriation, and appropriating an additional $635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. **052039** **[Fuel Contract 70881 - Office of Contract Administration]**

Resolution authorizing the Purchaser to award contract for Fuel, Diesel, Bio-Diesel and Gasoline as the contract will exceed $10,000,000.00.

(Purchaser)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

6. **060129** **[Emergency contract to contain and abate hazardous material at the MUNI Woods Facility]**

Resolution approving an emergency public work contract to contain and abate a hazardous material diesel fuel spill at the MUNI Woods Facility.

(Public Works Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

7. **060239** **[Airport Revenue Bonds]**

Resolution approving a form of letter of credit and reimbursement agreement relating to the Airport subordinate commercial paper notes and related matters.

(Airport Commission)

Question: Shall this Resolution be ADOPTED?

8. 060312 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations]**
Supervisor Daly
Resolution recommending approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Rincon Hill Downtown Residential District; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

Question: Shall this Resolution be ADOPTED?

Present. Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Ma, McGoldrick

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for the following two items:

9. 060165 **[To appropriate $1,127,000 in funding for San Francisco General Hospital capital projects.]**
Mayor
Ordinance appropriating $1,127,000 in San Francisco General Hospital (SFGH) revenue and appropriating $1,127,000 for the SFGH Rebuild Planning and Environmental Impact Report (EIR).
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 060225 **[To appropriate $3,330,980 to fund cost overruns at the Police Department and violence prevention investments for Children, Youth and Their Families for Fiscal Year 2005-2006]**
Supervisor Ma
Ordinance appropriating $3,330,980 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and Their Families for Fiscal Year 2005-2006. Sources of funds include $2,572,307 from the Unappropriated General Fund Balance and $758,673 from the Fiscal Year 2005-2006 Children's Baseline Growth. Uses of funds include $2,572,307 for the Police Department and $758,673 for the Department of Children, Youth and Their Families.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

11. **060252** **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]**
Supervisors Daly, Mirkarimi
Ordinance appropriating $690,000 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

12. **051841** **[Haight Street Alcohol Restricted Use Subdistrict – Permissible bar use in movie theaters]**
Supervisor Mirkarimi
Ordinance amending Planning Code Section 781.9 to allow a bar use in a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdistrict; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. **051925** **[Resolution initiating designation to amend the Telegraph Hill Historic District]**
Supervisor Alioto-Pier
Resolution initiating designation to amend the Telegraph Hill Historic District and to include additional properties in this Historic District pursuant to sections 1004 and 1004.1 of the Planning Code.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

14. **060136** **[Public Hearing]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been paid for out of a revolving fund.
(Clerk of the Board)

3/21/2006, HEARD AT PUBLIC HEARING. The President inquired as to whether or not any member of the public wished to address the Board members.

Continued to March 28, 2006.

Action:_____

15. 060403 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,878; Location: 1101 Persia Avenue.)

3/21/2006, CONTINUED. Continued to March 28, 2006

3/21/2006, RECEIVED AND ASSIGNED to Board of Supervisors. Divided from File 060137.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

16. 060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

17. 060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

19. 060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, March 23, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 28, 2006.

20. 051651 **[Protection of employee rights]**
Supervisors Mirkarimi, Ammiano, Peskin, Dufty, Ma, Maxwell, Daly, Sandoval, McGoldrick
Ordinance amending Section 11.55 of the Administrative Code to require franchise grantees to comply with provisions of federal law that prohibit discrimination against an employee based on an employee's decision to participate in employee organizations for the purpose of representation, and to require grantees to notify contractors and subcontractors that they must comply with these same provisions, and to prohibit discrimination against an employee, contractor or subcontractor for speaking before or filing a complaint with any government agency or court, and to ensure that company policies, handbooks, and directives are not construed to limit such activity by an employee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 060302 **[Settlement of Lawsuit - Iva Hetzel]**
Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

24. 060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**
Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, MOTION to convene in Closed Session.
3/7/2006, CONTINUED. Continued to March 28, 2006
Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 33

25. 060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick
Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/31/2006, CONTINUED. Continued to February 7, 2006

2/7/2006, CONTINUED. Continued to February 28, 2006

2/28/2006, CONTINUED. Continued to March 28, 2006

Question: Shall this Resolution be ADOPTED?

26. 060366 **[General Advertising Signs – Extension of Planning Commission Review Period]**
Supervisor Peskin
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Administrative Code by adding Section 2.21 to establish a General Advertising Sign Relocation Procedure; to amend the San Francisco Planning Code by amending Section 303 to add criteria for the Planning Commission's approval of a general advertising sign relocation site, adding Section 358 to establish fees for the Planning Commission's review of General Advertising Sign Inventories and proposed Relocation Agreements, amending Section 604 to prohibit general advertising signs that have been removed from being replaced on the same site, adding Section 604.2 to require general advertising sign companies to maintain and submit to the City current inventories of their signs, and amending Sections 1005 and 1111.7 to prohibit the relocation of new general advertising signs to Historic Districts or Conservation Districts or on an historic property regulated by Articles 10 and 11 of the Planning Code; and to adopt findings including environmental findings and findings of consistency with the Priority Policies of Planning Code Section 101.1 and the General Plan.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 060381 [Diabetes Awareness Day]
Supervisors Ma, Dufty
Resolution recognizing March 28, 2006 as "Diabetes Awareness Day".

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 060382 [World Water Day]
Supervisor Ma
Resolution recognizing March 22, 2006 as World Water Day.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 060383 [Supporting Senate Bill 1414-California Fair Share Healthcare Act]
Supervisor Ma
Resolution supporting SB 1414, the California Fair Share Health Care Act.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 060384 [Declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco]
Supervisor McGoldrick
Resolution declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 060385 [Old Mint; Transferable Development Rights]
Supervisor Peskin
Resolution authorizing the director of property for the City and County of San Francisco to execute and cause to be recorded a Certificate of Transfer and to take such other actions as may be necessary to effectuate the transfer of development rights from the Old Mint pursuant to Planning Code Section 128.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060331 [Final Map for a 41 Unit Commercial/Residential Condominium Project - 901 Bayshore Boulevard]
Motion approving Final Map of 901 Bayshore Boulevard, a Commercial/Residential Condominium Project, being a subdivision of Lot 62 in Assessor's Block No. 5402, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)

3/16/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

33. 060370 **[Committee of the Whole - April 4, 2006 - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District]**

Supervisor Daly

Motion to sit as a Committee of the Whole on April 4, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential Disrict.

3/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 14, 2006 through March 20, 2006, for reference by President to appropriate committee on March 28, 2006.

060300 **[Settlement of Lawsuit - Maximilian Castro]**
Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/16/2006, RECEIVED AND ASSIGNED to Rules Committee.

060332 **[Settlement of Lawsuit - Mirvat Harb]**
Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/16/2006, RECEIVED AND ASSIGNED to Rules Committee.

060335 **[Settlement of Lawsuit - Reliant Energy, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions.
(City Attorney)

3/14/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 14, 2006 through March 20, 2006, for reference by President to appropriate committee on March 28, 2006.

060333 **[IHSS Provider Benefits and Administration Contract Approval – San Francisco IHSS Public Authority]**

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of Administration, health and dental benefits to IHSS Independent Providers for the period of July 1, 2006 to June 30, 2012, in the amount of $201,786,117.00
(Human Services Department)

3/16/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be referred to Budget and Finance Committee due to the dollar amount of the contract.

060334 **[Child Care Services Contract Approval - Children's Council of San Francisco]**

Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2006 to June 30, 2012, in the amount of $245,425,551.
(Human Services Department)

3/16/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be referred to Budget and Finance Committee due to the dollar amount of the contract.

060408 **[Petitions and Communications]**

Petitions and Communications received from March 14, 2006 through March 20, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 28, 2006.

From Coblentz, Patch, Duffy & Bass LLP, submitting response to appeal of certification of categorical exemption for the Katherine Delmar Burke School at 229 32nd Avenue. File 060240, Copy: Each Supervisor (1)

From Emil Maionchi, submitting request for an On-Sale Beer and Wine public premises license for Emil Maionchi dba Wine Merchant of Showplace Square at 2 Henry Adams Street, Space M-21. (2)

From Municipal Transportation Agency, regarding the feasibility of using "pedestrian head start" intervals for pedestrians crossing the east and west legs of the intersection of Lincoln Way and 9th Avenue. (Reference No. 20060131-010) Copy: Supervisor Mirkarimi (3)

From Department of Public Works, regarding status of repair of potholes at various locations. (Reference No. 20060314-008) Copy: Supervisor Mirkarimi (4)

From Department of Public Works, regarding status of graffiti removal from various locations. (Reference No. 20060314-014) Copy: Supervisor Mirkarimi (5)

From Public Utilities Commission, regarding status of repair of a large pothole at the intersection of Willard and Carl Streets. (Reference No. 20060131-007) Copy: Supervisor Mirkarimi (6)

From Department of Public Works, regarding status of graffiti removal from various locations. (Reference No. 20060314-003) Copy: Supervisor Mirkarimi (7)

From Department of Public Works, regarding status of graffiti removal from various locations. (Reference No. 20051213-002) Copy: Supervisor Mirkarimi (8)

From Roland Salvato, submitting appeal of categorical exemption for the demolition and construction of proposed project at 869 North Point Street. File 060199 (9)

From concerned citizens, submitting support for continued funding of the Neighborhood Emergency Response Team (N.E.R.T.) program taught by the Fire Department. (10)

From Department of Public Health, submitting quarterly report on departmental spending. Copy: Budget and Finance Committee (11)

From Department of Elections, submitting an update on the status of the new voting system for the June 6, 2006 Election and the implementation of Ranked-Choice Voting for the November 7, 2006 Election. Copy: Each Supervisor (12)

From Kingston Contracting Inc., regarding contractors and employees that were cited with parking tickets while working on City projects in barricaded permitted zones. (13)

From Bernadette Warren, responding to letter from Municipal Transportation Agency regarding the need to install a flashing crosswalk light or some other traffic calming measure at the intersection of Lake Merced Boulevard and Lake Merced Hill. (Reference No. 20051108-007) Copy: Supervisor Elsbernd (14)

From Public Library, regarding the renovation of the West Portal Branch Library. (Reference No. 20060131-005) Copy: Supervisor Elsbernd (15)

From Clerk of the Board, submitting names of individuals who have submitted Form 700 Statement

of Economic Interest. (16)

From Department of Elections, concerning the disclaimer requirements for local ballot measures. Copy: Each Supervisor (17)

From SF Labor Council, AFL-CIO, submitting support for resolution calling on the Board of Education to rescind its decision to close John Swett Elementary School. File 060123 (18)

From State Rules Committee, submitting appointment of Kristina Brouhard, Margaret Bruce, Shalom Eliahu, Deborah Widener and Gary Wolf to the Water Quality Control Board, San Francisco Bay Region. (19)

From Municipal Transportation Agency, submitting a follow-up six-month report on traffic operations in and around Octavia Boulevard. Copy: Supervisors Dufty, McGoldrick, Mirkarimi (20)

From Redevelopment Agency, responding to inquiry regarding the status of Bindlestiff Studio's return to the Plaza Hotel. (Reference No. 20060207-008) Copy: Supervisor Daly (21)

From Office of the Controller, submitting a three-year budget projection for General Fund Supported operations for fiscal year 2006-07 through fiscal year 2008-09. Copy: Each Supervisor (22)

From Miles Berger, expressing his concerns about the continual disturbance of the peace, nuisance, gang and drug activity and violence associated with the Caliente nightclub at 11th and Folsom Streets. Copy: Supervisor Daly (23)

From Debbie Smith, urging the Board of Supervisors to support "Matts Law" S.B. 1454. Copy: Each Supervisor (24)

From Douglas Martin, urging the Board of Supervisors to consider several factors before accepting a gift of artificial turf for several neighborhood soccer fields. (25)

From Kimo Crossman, regarding wireless Internet service (WIFI), personal privacy vs. public's right to know and open public records. (26)

From Christian Holmer, commenting on various topics affecting San Francisco. (27)

From Steve Wood, commenting on how nice the new medium installed on the Great Highway at the Taraval intersection looks; however the installation of this new medium has also brought in an unwanted eye sore and safety issues. Copy: Supervisor Ma (28)

From concerned citizens, submitting opposition to Proposition H, the handgun ban in San Francisco. (29)

From the Port, submitting the Port of San Francisco's draft 10-year Capital Plan. Copy: Each Supervisor (30)

From Robert Switzer, requesting the Board of Supervisors augment construction funding for the Aptos Playground Project, to add community-requested, priority perimeter improvements that were omitted from the current construction project. Copy: Supervisor Peskin (31)

From George Davidson, regarding Supervisor Sandoval's comment on the military while being interviewed on the Hannity and Combs cable talk show. Copy: Supervisor Sandoval (32)

From Linda Johnson-Reitz, urging the Board of Supervisors to enact the Community Choice Energy plan in the near future. (33)

From Mesha Monge-Irizarry, commenting that his status as a legal resident and not a US Citizen excludes him from serving on many Boards and Commissions. Copy: Each Supervisor (34)

From Martin MacIntyre, concerning a $500,000 check he is trying to locate that was donated to the City in February 2005 to build a playground in Sunnydale Housing Projects, etc. Copy: Each Supervisor (35)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 23, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Charter amendment authorizing members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing when physically unable to attend due to pregnancy or childbirth.	060380	Rules Committee	Supervisor Alioto-Pier	3/21/06	4/21/06
Ordinance adding a $1.00 fuel surcharge to taxi fares and eliminating the cap on taxicab gate fees.	060077	Budget and Finance Committee	Supervisor Ma	3/14/06	4/14/06
Ordinance adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project.	060343	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06
Ordinance amending Planning Code (Jackson Square Special Use District) to require that ground floor institutional use is subject to conditional use authorization.	060345	Land Use and Economic Development Committee	Supervisor Peskin	3/14/06	4/14/06
Ordinance amending Planning Code (Northwest corner of Divisadero and O'Farrell Streets) to change use from Small-scale Neighborhood Commercial District to Moderate-scale Neighborhood Commercial District.	060346	Land Use and Economic Development Committee	Supervisor Mirkarimi	3/14/06	4/14/06

Ordinance approving a Tax Increment Allocation and Sales Proceeds Agreement and Option Agreement for the Transbay Redevelopment Project Area.	060347	Budget and Finance Committee	Supervisor Daly	3/14/06	4/14/06
Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planing Code Section 101.1.	060354	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06
Ordinance closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006.	060250	City Operations and Neighborhood Services Committee	Supervisors McGoldrick, Mirkarimi, Peskin	2/28/06	3/28/06
Ordinance adding Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with exceptions.	060265	Land Use and Economic Development Committee	Supervisor Maxwell	2/28/06	3/28/06
Ordinance amending various sections of the Campaign and Government Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Code Finance Reform Ordinance.	060267	Rules Committee	Mayor	2/28/06	3/28/06
Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna and Fillmore Streets.	060266	Land Use and Economic Development Committee	Supervisor Mirkarimi	2/28/06	3/28/06
Charter amendment (First Draft) District elections, term limits, and instant runoff voting for Board of Education members; conditions for School District to receive money from the Public Education	060261	Rules Committee	Supervisor Alioto-Pier	2/28/06	3/28/06

Enrichment Fund					
Ordinance amending Traffic Code to establish a single consolidated list of weight-restricted streets.	060162	City Operations and Neighborhood Services Committee	Department of Parking and Traffic	2/28/06	3/28/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 4, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place,-Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for March 7, 2006 and March 14, 2006 and Special Meeting Minutes for the Budget and Finance Committee Meeting for March 15, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

1. 060141 **[To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital Plan]**

Mayor

Ordinance appropriating $16,342,714, including the de-appropriation of $15,707,484 in current project funding to use this source for appropriation, and appropriating an additional $635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)

3/28/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. **060109** **[Traffic Regulations]**
Supervisor Mirkarimi
Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANE - ESTABLISH
Scott Street, northbound, from Haight Street to Oak Street.

NO TURN ON RED - ESTABLISH
Scott Street, northbound, at Oak Street.
(1/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

3. 060133 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Montgomery Street to 155 feet easterly (creates new metered parking, but maintains Tow-Away 3 PM to 7 PM, Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH
Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH
Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone)
(both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND
Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;
San Jose Avenue, west side, from Farallones Street to 173 feet northerly;
San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;
San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;
San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;

San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and,
McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Parker Avenue, west side, from Geary Boulevard to 50 feet southerly (replaces existing green zone with two 30-minute meters).

PARKING METER AREA 4 - ESTABLISH
Stockton Street, east side, from North Point Street to 60 feet northerly (adds 3 meters).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the south property line of #40 Hillway Avenue
(Parking and Traffic Department)
(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

Question: Shall this Resolution be ADOPTED?

4. 060134 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street, between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street
(Parking and Traffic Department)
(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

Question: Shall this Resolution be ADOPTED?

5. 060248 **[Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at Pier 96]**

Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

3/7/2006, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

6. 060258 **[Accept-Expend Equipment - Police Department]**
Supervisor Ma
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC).

3/7/2006, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

7. 060273 **[Grant of Regional Funds - Municipal Transportation Agency]**
Supervisor Maxwell
Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

3/7/2006, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

8. 060296 **[Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study, Yr. 2]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $55,140 to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2005, to June 30, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

9. 060324 **[Accept-Expend Federal Grant - MOCJ - $37,500]**
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $37,500 from the van Loben Sels/RembeRock Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

Question: Shall this Resolution be ADOPTED?

Present Supervisors McGoldrick, Ma

10. 060132 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;
Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;
Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;
Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;
Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;
Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;
Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;
Washburn Street, stopping Washburn Street at Howard Street;
Dore Street, stopping Dore Street at Folsom Street; and,
Grace Street, stopping Grace Street at Mission Street.
(Parking and Traffic Department)
(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

Question: Shall this Resolution be ADOPTED?

11. 060167 **[Parking Regulations]**
Supervisor Dufty
Resolution enacting angle parking regulations on the east side of Castro Street, between 25th and Jersey Streets.

45-DEGREE ANGLE PARKING – ESTABLISH
Castro Street, east side, between 25th and Jersey Streets.
(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

12. 060214 **[Parking Regulations, Various Locations]**
Supervisor Elsbernd
Resolution enacting and rescinding parking regulations at various locations.

TALL VEHICLE RESTRICTION, 100 FEET FROM INTERSECTIONS - ESTABLISH
Sloat Boulevard, south side, from the Lakeshore Plaza traffic signal to 20 feet west of the Everglade Drive intersection.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Sloat Boulevard, south side, from Everglade Drive to 20 feet westerly.
(2/14/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

13. 051841 **[Haight Street Alcohol Restricted Use Subdistrict – Permissible bar use in movie theaters]**
Supervisors Mirkarimi, Ammiano
Ordinance amending Planning Code Section 781.9 to allow a bar use in a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdistrict; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

14. 051651 **[Protection of employee rights]**
Supervisors Mirkarimi, Ammiano, Peskin, Dufty, Ma, Maxwell, Daly, Sandoval, McGoldrick
Ordinance amending Section 11.55 of the Administrative Code to require franchise grantees to comply with provisions of federal law that prohibit discrimination against an employee based on an employee's decision to participate in employee organizations for the purpose of representation, and to require grantees to notify contractors and subcontractors that they must comply with these same provisions, and to prohibit discrimination against an employee, contractor or subcontractor for speaking before or filing a complaint with any government agency or court, and to ensure that company policies, handbooks, and directives are not construed to limit such activity by an employee.

3/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

15. 060302 **[Settlement of Lawsuit - Iva Hetzel]**
Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al.
(City Attorney)

3/28/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 060300 **[Settlement of Lawsuit - Maximilian Castro]**
Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 060303 **[Settlement of Lawsuit - Gisselle Shepherd]**
Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 060290 **[Settlement Agreement Regarding SACPA Audit]**
Resolution approving the Health Department's entering into a Settlement Agreement with the State of California resolving the State's claim for reimbursement by the City and County of funds provided by the State to the County under the SACPA program for fiscal year July 1, 2001 through June 30, 2002.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

19. 060376 **[Appointment - Commission on the Aging Advisory Council]**
Resolution appointing Catherine Rose Russo, term ending March 31, 2008, to the Commission on the Aging Advisory Council.
Catherine Rose Russo, term expiring March 31, 2006, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2008.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Ma, McGoldrick

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for the following two items:

20. 060165 **[To appropriate $1,127,000 in funding for San Francisco General Hospital capital projects]**
Mayor
Ordinance appropriating $1,127,000 in San Francisco General Hospital (SFGH) revenue and appropriating $1,127,000 for the SFGH Rebuild Planning and Environmental Impact Report (EIR).
(Fiscal impact.)

3/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

21. 060225 **[To appropriate $3,330,980 to fund cost overruns at the Police Department and violence prevention investments for Children, Youth and Their Families for Fiscal Year 2005-2006]**
Supervisor Ma
Ordinance appropriating $3,330,980 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and Their Families for Fiscal Year 2005-2006. Sources of funds include $2,572,307 from the Unappropriated General Fund Balance and $758,673 from the Fiscal Year 2005-2006 Children's Baseline Growth. Uses of funds include $2,572,307 for the Police Department and $758,673 for the Department of Children, Youth and Their Families.
(Fiscal impact.)

3/28/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present Supervisors Daly, Dufty, Peskin, Elsbernd

22. 060252 **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]**
Supervisors Daly, Mirkarimi, Ammiano
Ordinance appropriating $690,000 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.
(Fiscal impact.)

3/28/2006, CONTINUED. Continued to April 4, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

23. 051924 **[Establishing Maximum Work Hours For General Assistance Programs]**
Supervisors McGoldrick, Ammiano
Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

24. 051954 **[Amend the Definition of Properties Eligible to Apply for a Mills Act Contract]**
Supervisor Alioto-Pier
Ordinance amending the Administrative Code by amending Section 71.2 by adding new subsections 71.2(b), (d), and (e) to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; stating that subsections 71.2 (b), (d), and (e) shall not become effective until six months after the effective date of this Ordinance; requesting a report from the Planning Department regarding evaluation criteria for Mills Act Contracts; and making environmental findings.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

25. 060218 **[Mission Bay - Pier 64 Cost Reimbursement Agreement]**
Mayor, Supervisor Daly
Resolution approving the Cost Reimbursment Agreement between the City and County of San Francisco, and Atlantic Richfield Company, Texaco Inc., Chevron U.S.A. Inc. and Union Oil Company of California for the management of residual petroleum hydrocarbons on City Property in certain areas of Mission Bay.

Question: Shall this Resolution be ADOPTED?

26. 060260 **[San Francisco Community College District General Obligation Bonds]**

Supervisor Peskin

Resolution authorizing the San Francisco Community College District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 2005 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Community College District; providing for prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of San Francisco Community College District bonds.

Question: Shall this Resolution be ADOPTED?

27. 060355 **[Multifamily Housing Revenue Bonds – 575 Eddy Street Apartments]**

Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $4,946,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

28. 060246 **[Appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06]**

Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma

Ordinance appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06.

(Fiscal impact.)

(Supervisors Mirkarimi and Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 060253 **[Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]**

Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Lincoln Park Master Plan for $176,459, Lincoln Playground for $321,367, Hamilton Playground, Recreation Center and Pool for $4,205,883, Junipera Serra Playground and Clubhouse for $247,042, Lake Merced Improvements for $257,336, Lake Merced – Overlook and Trail for $42,897, Midtown Terrace Playground for $444,361, Buena Vista Park Landscape Improvement for $745,913, Sunnyside Conservatory for $893,902, Rolph Playground & Clubhouse for $240,487, St. Mary's Playground for $494,085, Kelloch – Velasco Park for $482,211, Potrero Hill Playground for $406,443, Visitacion Valley Greenway (Racetrack) – Tioga Lot for $366,582, Joseph Lee Recreation Center $206,163 and Sava Pool for $884,550 for fiscal year 2005-06.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. **060311** **[Appropriating $20,000,000 of General Fund balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Rental Subsidies for Fiscal Year 2005-06]**
Supervisor Daly
Ordinance appropriating $20,000,000 of General Fund balance for Fiscal Year 2005-06, including $18,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless; $1,000,000 to the Mayor's Office of Housing to fund the Real Ownership Opportunities for Tenants project and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project; and $1,000,000 for the Human Services Agency to fund Family Rental Subsidies for Fiscal Year 2005-06.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. **060410** **[Appropriating $1,755,000 in funding for Primary Care capital projects for FY 2005-06]**
Ordinance appropriating $1,755,000 in revenues, including $1,035,000 in unappropriated General Fund Balance, and $720,000 in Primary Care surplus and appropriating $1,755,000 for capital projects at Primary Care clinics for the Public Health Department for Fiscal Year 2005-06.
Version 2.
Fiscal Impact

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

32. **051669** **[Prohibition on Smoking in Public Transit Stops and Shelters]**
Supervisor Ma
Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present Supervisors McGoldrick, Dufty

33. 060088 **[Temporary "Street Closure to Vehicular Traffic" on O'Farrell St. between Steiner and Fillmore]**
Supervisor Mirkarimi
Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 29, 2006 and November 18, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Alioto-Pier, Peskin

34. 051633 **[Adopting the National Incident Management System]**
Supervisor Ma
Resolution adopting the National Incident Management System.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Alioto-Pier, Peskin

35. 060065 **[Establishing the Film Rebate Program]**
Supervisor Alioto-Pier
Ordinance amending San Francisco Admistrative Code section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified film productions.
(Fiscal impact and Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

36. 060188 **[Residential Hotels: Tenant Mail Receptacles]**
Supervisors Daly, Peskin
Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

37. 060369 **[Hearing - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District]**
Hearing to consider the approval to accept public testimony regarding the potential recommendation of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential Disrict.

Action:_____

38. 060312 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations]**
Supervisor Daly
Resolution recommending approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Rincon Hill Downtown Residential District; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

3/28/2006, CONTINUED. Continued to a public hearing on April 4, 2006 at 3:00 p.m.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

39. 060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

3/28/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to April 4, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

40. 060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
Question: Shall this Motion be APPROVED?

41. 060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
Question: Shall this Motion be APPROVED?

42. 060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Thursday, April 3, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, April 4, 2006.

43. 060434 **[Prohibition on Smoking in Public Transit Stops and Shelters and Public and Golf Courses]**
Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters and golf courses.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 060393 **[Prohibiting Smoking on Golf Courses]**
Supervisor McGoldrick
Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

46. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 47 through 54

47. 060398 **[Supporting Assembly Bill 777 - Tax Credits for Qualified Motion Pictures]**
Supervisor Alioto-Pier
Resolution supporting Assembly Bill 777 – California Tax Credits for Qualified Motion Pictures.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060399 **[Fee Waiver for Temporary Occupancy Permit of Hunger Strikers]**
Supervisor Daly
Resolution commending the 23 individuals who participated in the week-long Hunger Strike against the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act," also known as HR 4437, for their commitment to protect the San Francisco's City of Refuge status, and urging the Department of Public Works to waive their Temporary Occupancy permit fees for the week of March 21st, 2006.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060400 [Commending Dr. Stanley Lipsitz on an outstanding career with the San Francisco Department of Public Health]

Supervisors Dufty, Maxwell

Resolution commending Dr. Stanley Lipsitz on an outstanding career with the San Francisco Department of Public Health and wishing him the best of luck in all of his future endeavors.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 060414 [Urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels]

Supervisors Dufty, Ma, Daly

Resolution urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 060415 [Commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco]

Supervisor Elsbernd

Resolution commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 060416 [Urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act]

Supervisors McGoldrick, Ammiano, Maxwell, Daly, Mirkarimi, Dufty

Resolution urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 060417 [Commending HICAP and Senior Action Network for assisting seniors and disabled]

Supervisor Mirkarimi

Resolution commending San Francisco Health Insurance Counseling and Advocacy Program (HICAP) and Senior Action Network for Assisting Seniors and the Disabled in Obtaining Health Care and Medication Benefits.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 060418 **[Urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law]**

Supervisor Sandoval

Resolution urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

-

Questions on the For Adoption Without Committee Reference Agenda _____

55. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 21, 2006 through March 27, 2006, for reference by President to appropriate committee on April 4, 2006.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 21, 2006 through March 27, 2006, for reference by President to appropriate committee on April 4, 2006.

060336 **[Contract between the Department of Public Health and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services]**
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services for the period of April 1, 2006 through March 31, 2010.
(Public Health Department)

3/22/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060337 **[Contract between the Department of Public Health and Health Advocates, LLC to provide uncompensated care recovery services]**
Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLC to provide uncompensated care reimbursement recovery services.
(Public Health Department)

3/22/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060338 **[Sale of Surplus Property]**
Resolution confirming the sale of surplus City-owned property (Lots 39 and 40 in Assessor's Block 1334) at public auction and authorizing the Director of Property to execute deeds to the successful bidders.
(Real Estate Department)

3/22/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060401 **[Board review and approval of 2006 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]**
Supervisor Daly
Resolution approving the City and County of San Francisco 2006 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.
(Human Services Department)

3/27/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be scheduled for consideration at the April 12, 2006 meeting.

060437 [Petitions and Communications]

Petitions and Communications received from March 21, 2006 through March 27, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 4, 2006.

From Police Department, submitting request for waiver of Administrative Code Section 12B and 12C for Alpha Explosives. (1)

From Kimo Crossman, submitting article from MSNBC.com regarding U.S. cities warned on long-term costs of free wireless. (2)

From Paul Hemming, submitting request to transfer a Type 48 liquor license permit from Wasabi & Ginger to Zen Compound at 55 Natoma Street. (3)

From Mayor's Office of Housing, submitting request to waive the 30-day rule for resolution authorizing the issuance and delivery of the bonds to finance rehabilitation of rental housing at 575 Eddy Street. File 060355, Copy: Supervisors Daly, Peskin (4)

From Planning Department, responding to letter of appeal regarding the issuance of a categorical exemption for the Katherine Delmar Burke School at 229 32nd Avenue. File 060240, Copy: Each Supervisor (5)

From Lincoln Park Homeowners Association, regarding appeal of categorical exemption for the Katherine Delmar Burke School at 229 32nd Avenue. File 060240, Copy: Each Supervisor, City Attorney (6)

From Office of the Controller, submitting report concerning the revolving fund review for the SF Public Library. (7)

From Rose Roskilly, urging Supervisor Dufty to be proactive regarding the federal judge's ruling ordering the state to provide therapeutic foster care and family-based wraparound services for foster children. Copy: Supervisor Dufty (8)

From SF Tree Council, Inc., urging the Board to take a closer look at the proposed Katherine Burke School project and require the school to make alternations to their plans in order to save the mature Monterey Cyress trees. File 060240, Copy: Each Supervisor (9)

From Best Collateral, Inc., submitting support for amendment to allow pawnbrokers to operate on Sundays and Mondays following a holiday that falls on a Sunday. File 060013, Copy: City Operations and Neighborhood Services Committee members (10)

From PUC, regarding status of repair of pothole at the intersection of Willard and Carl Streets. (Reference No. 20060131-007) Copy: Supervisor Mirkarimi (11)

From Department of Public Works, regarding replanting new trees on the 800 block of Haight Street. (Reference Nos. 20060-124-004 and 20060321-008) Copy: Supervisor Mirkarimi (12)

From Mortimer Herzstein, regarding the dilapidated condition of the streets in San Francisco. Copy: Department of Public Works (13)

From Coalition for San Francisco Neighborhoods, urging the Board of Supervisors to refer the "Better Neighborhoods Planning and Implementation Process" Ordinance to the Planning Commission for hearing and recommendation. File 050601, Copy: Each Supervisor (14)

From Municipal Transportation Agency, regarding request for traffic studies at Dwight and Brussels Streets and at Goettingen and Woolsey Streets. (Reference No. 20060110-011) Copy: Supervisor

Maxwell (15)

From Clerk of the Board, submitting names of individuals who have submitted Form 700 Statement of Economic Interest. (16)

From Department of Child Support Services, submitting request for waiver of Administrative Code Sections 12B and 12C for a one day conference at the San Francisco Marriott. (17)

From Office of the Controller, submitting report concerning the audit of Air China. (18)

From Richard Hack, submitting opposition to proposed taxi meter increase to cover gas price increases. File 06077, Copy: Budget and Finance Committee (19)

From Francisco Da Costa, urging the Board to table the ratification of the Bayview Hunters Point Redevelopment project area amendment at least until California voters decide in November whether to limit eminent domain. Copy: Supervisor Maxwell, Mayor (20)

From Miles Berger, regarding the ongoing disturbance of the peace, gang and drug activity associated with the Caliente nightclub at 11th and Folsom Streets. (21)

From Office of Economic Analysis, submitting an economic impact report on the proposed Film Rebate Program. File 060065 (22)

From Coalition for San Francisco Neighborhoods, urging the Mayor to demonstrate good government standards by denying operational cost shifting by city departments to the garbage ratepayers. Copy: Each Supervisor (23)

From Coalition for San Francisco Neighborhoods, submiting support to table ratification of the Bayview Hunters Point Redevelopment Project Area Amendment. File 060343, Copy: Each Supervisor (24)

From Kimo Crossman, submitting letter written by James Chaffee commenting on the Education Committee of the Sunshine Ordinance Task Force. (25)

From Ahimsa Sumchai commenting on the violent deaths and altercations at Laguna Honda Hospital. (26)

From Patricia Seligman, urging the Board not to increase the cost of the Camp Mather Senior get away program. (27)

From Department of Administrative Services, regarding review of applications to participate in the Annual Joint Fundraising Drive. File 060209 (28)

From concerned citizens, commenting on resolution passed by the Board of Supervisors urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Copy: Each Supervisor, 60 letters (29)

From Kimo Crossman, regarding wireless Internet service (WIFI), personal privacy vs. public's right to know and open public records. 3 letters (30)

From the International Relations Center, thanking the Board of Supervisors for passing the Sweatfree Ordinance. File 051257 (31)

From State Senate Rules Committee, submitting appointment of Lawrence Goldzband, Colleen Jordan, Stan Moy and Raymond Randolph as public members of the San Francisco Bay Conservation and Development Commission. Copy: Each Supervisor (32)

From concerned citizens, commenting on recently passed resolution-condemning protest by anti-abortion groups at City Hall on Friday, March 24, 2006. File 060371, Copy: Each Supervisor, 7 letters (33)

From Recreation and Parks Commission, reporting on the status of repairing the tea rose bush outside the Western Addition Public Library at the Hamilton Recreation Center at 1550 Scott Street. (Reference No. 20060214-009) Copy: Supervisor Mirkarimi (34)

From Department of Parking and Traffic, regarding the feasibility of installing pedestrian countdown signals at various intersections in District 10. (Reference No. 20060314-001) Copy: Supervisor Maxwell (35)

From Dan Priven, submitting support for berthing the USS Iowa in San Francisco. (36)

From Charles Pappas, thanking the Board for drafting and passing the Medicinal Marijuana legislation. Copy: Each Supervisor (37)

From Edwin Camacho, describing his unpleasant experience while dropping off his brother in-law at SFO. (38)

From Ahimsa Sumchai, regarding the public health impact of the Bayview Hunters Point Redevelopment and Rezoning Project. File 051964, Copy: Land Use and Economic Development Committee (39)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
APR - 6 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 11, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

1. 051924 **[Establishing Maximum Work Hours For General Assistance Programs]**
Supervisors McGoldrick, Ammiano, Maxwell, Daly
Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

4/4/2006, PASSED ON FIRST READING. Supervisors Maxwell and Daly requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

2. **060410** **[Appropriating $1,755,000 in funding for Primary Care capital projects for FY 2005-06]**
Ordinance appropriating $1,755,000 in revenues, including $1,035,000 in unappropriated General Fund Balance, and $720,000 in Primary Care surplus and appropriating $1,755,000 for capital projects at Primary Care clinics for the Public Health Department for Fiscal Year 2005-06.
Fiscal Impact

4/4/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **060311** **[Appropriating $20,000,000 of General Fund balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Rental Subsidies for Fiscal Year 2005-06]**
Supervisors Daly, Mirkarimi
Ordinance appropriating $20,000,000 of General Fund balance for Fiscal Year 2005-06, including $18,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless; $1,000,000 to the Mayor's Office of Housing to fund the Real Ownership Opportunities for Tenants project and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project; and $1,000,000 for the Human Services Agency to fund Family Rental Subsidies for Fiscal Year 2005-06.
(Fiscal impact.)

4/4/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

4. **060329** **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Bay Area Air Quality Management District Transportation Fund to collaborate with the San Francisco Bike Coalition and the Metropolitan Transportation Commission on the development of a web-based point-to-point bicycle route planning tool called BikeInsight.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

5. 060188 **[Residential Hotels: Tenant Mail Receptacles]**
Supervisors Daly, Peskin, Mirkarimi
Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

4/4/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

6. 060300 **[Settlement of Lawsuit - Maximilian Castro]**
Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al.
(City Attorney)

4/4/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 060303 **[Settlement of Lawsuit - Gisselle Shepherd]**
Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al.
(City Attorney)

4/4/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Elsbernd

8. 060402 **[Appointment - Graffiti Advisory Board]**
Resolution appointing Steven B. Taxman, for an indefinite term, to the Graffiti Advisory Board. Steven B. Taxman, succeeding Mark Bruno, seat 13, resigned, non-voting member, must represent neighborhood organization, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

9. 060246 **[Appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06]**

Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma

Ordinance appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06.

(Fiscal impact.)

(Supervisors Mirkarimi and Daly dissented in committee.)

4/4/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 060253 **[Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]**

Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for $840,000, Lake Merced – Overlook and Trail for $145,860, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, Kelloch – Velasco Park for $617,507, Visitacion Valley Greenway (Raceway) – Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

4/4/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/4/2006, CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

11. 051954 [Amend the Definition of Properties Eligible to Apply for a Mills Act Contract]
Supervisor Alioto-Pier
Ordinance amending the Administrative Code by amending Section 71.2 by adding new subsections 71.2(b), (d), and (e) to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; stating that subsections 71.2 (b), (d), and (e) shall not become effective until six months after the effective date of this Ordinance; requesting a report from the Planning Department regarding evaluation criteria for Mills Act Contracts; and making environmental findings.
(Fiscal impact.)

4/4/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

12. 060252 [To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]
Supervisors Daly, Mirkarimi, Ammiano
Ordinance appropriating $226,682 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06; placing $226,682 on Budget and Finance Committee reserve.
(Fiscal impact.)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, DIVIDED.
4/4/2006, PASSED ON FIRST READING AS DIVIDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

13. 051669 [Prohibition on Smoking in Public Transit Stops and Shelters]
Supervisors Ma, Daly
Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

4/4/2006, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present. Supervisors: Alioto-Pier, Peskin

14. 060065 **[Establishing the Film Rebate Program]**

Supervisor Alioto-Pier

Ordinance amending San Francisco Admistrative Code section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified film productions.

(Fiscal impact and Economic Impact)

4/4/2006, AMENDED.

4/4/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Ammiano

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060166.

15. 060166 [First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; increasing FSHA reporting requirements, liquidated damages, and penalty sections; amending administrative review process, including review by OLSE]

Supervisors Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 7) increase liquidated damages from up to $2,070.00 to up to $5,000.00 against contractors for initial violations of this Chapter, add provision of liquidated damages of up to $10,000.00 against contractors for each violation discovered during second investigation by FSHA and to provide for administrative review; and 8) increase penalties against permittees and contractors engaged in non-City work performed in San Francisco from up to $2,070.00 to up to $5,000.00 who fail to comply with this Chapter and to provide for administrative review.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

16. 060309 [Extending Early Retirement Program]

Mayor

Resolution extending Early Retirement Program for and through fiscal years 2006-07.
(Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Mirkarimi, Elsbernd

18. 060263 **[Public Education Enrichment Fund]**
Supervisor Daly
Resolution approving the San Francisco First Five Commission expenditure plan or the Public Education Enrichment Fund for fiscal year 2006-07.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

19. 060341 **[Appropriating $250,000 to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006]**
Ordinance appropriating $250,000 of Unappropriated General Fund Revenue to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006; and reserving the appropriation for the Grants for the Arts.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

20. 051985 **[Deletion of a street flower market location on Market Street at Fifth Street]**
Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Dufty, Ma

21. 060255 **[Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately $4.5 million from the City Fields Foundation]**
Supervisors Ammiano, Alioto-Pier, Maxwell, Ma, Dufty
Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately $4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation; and requiring the RPD General Manager to submit an annual report to the Board that describes actions taken in furtherance of the agreement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 060447.)

22. 060425 **[Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance"]**
Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance."
(Clerk of the Board)

Action:_____

23. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

24. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

25. **060429** **[Legislative Analyst Request - Youth MUNI passes]**
Supervisor McGoldrick
Motion requesting the Legislative Analyst to research, analyze, and gather data on the following issue(s): (1) What kind of discounts do the public transit systems (both national and international) give to youth between the ages of 18 to 24? How has that impacted the number of youth that ride on the public transportation system? Has that led to an increase/decrease in youth riders? (2) What are the various kinds of discounts given to students nationally and internationally? (3) What is the usual cut off age for what is defined youth in the public transportation system for San Francisco?

Question: Shall this Motion be APPROVED?

26. **060430** **[Legislative Analyst Request - Street space permits]**
Supervisor Elsbernd
Motion requesting the Legislative Analyst to research, analyze, and gather data on the street space permits in order to determine if permits are legally posted.

Question: Shall this Motion be APPROVED?

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

27. **060288** **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**
Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, MOTION to convene in Closed Session.
3/7/2006, CONTINUED. Continued to March 28, 2006
3/28/2006, MOTION to convene in Closed Session.
3/28/2006, CONTINUED. Continued to April 11, 2006
Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 28 through 43

28. 060447 **[Calling for the Board of Supervisors to sit as a Committee of the Whole on April 11, 2006, at 4:00pm to consider findings of recent economic report]**
Supervisor Alioto-Pier
Motion calling for the Board of Supervisors to sit as a committee of the whole on April 11, 2006, at 4:00pm to hear and discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance."

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

29. 060398 **[Supporting Assembly Bill 777 - Tax Credits for Qualified Motion Pictures]**
Supervisor Alioto-Pier
Resolution supporting Assembly Bill 777 – California Tax Credits for Qualified Motion Pictures.

3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
4/4/2006, CONTINUED. Continued to April 11, 2006

Question: Shall this Resolution be ADOPTED?

30. 060442 **[Peak Oil Plan of Response and Preparation]**
Supervisors Mirkarimi, McGoldrick, Maxwell
Resolution acknowledging the challenge of Peak Oil and the need for San Francisco to prepare a plan of response and preparation.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 060448 **[Accept-Expend Federal Grant Funds - Recreation and Park Department]**
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Clean Vessel Act Grant administered by the California Department of Boating and Waterways in the amount of $35,000 for the installation of a boat pumpout and dump station combination in the San Francisco Small Craft Harbor.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060449 [Commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in San Francisco]

Supervisor Dufty

Resolution commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 060450 [Commending Gail Wilson and City Swing]

Supervisors Dufty, Ammiano

Resolution commending Gail Wilson and City Swing for over two decades of entertainment and commitment to the LGBT community.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 060451 [Grant to support the Integrated Nurse Leadership Program at the San Francisco Department of Public Health, Laguna Honda Hospital and Rehabilitation Center]

Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of $75,000 from the Gordon and Betty Moore Foundation through the Regents of the University of California to support the Integrated Nurse Leadership Program, and to enter into an agreement for the use of these funds; for the period of March 1, 2005 to May 31, 2006.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 060452 [Supporting H.R. 4423 Ethiopia Consolidation Act]

Supervisor Ma

Resolution supporting the Ethiopia Consolidation Act of 2005 (H.R. 4423)

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 060453 [Accept-Expend Federal Grant - Strategic Planning for Childhood Nutrition and Physical Activity Task Force Recommendations]

Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $24,993 from the California Endowment to conduct Strategic Planning for the Childhood Nutrition and Physical Activity Task Force.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 060454 **[Accept-Expend Federal Grant - 2006 Mayor's Summer Food Service Program and Afterschool Snack Program]**

Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $853,665 from the United States Department of Agriculture for the 2006 Mayor's Summer Food Service Program and the Afterschool Snack Program.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 060455 **[Supporting AB 2873 - Transportation Development Act Funds]**

Supervisor McGoldrick

Resolution urging the California State Legislature to support Assembly Bill 2873 (Wolk) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 060456 **[Supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community]**

Supervisors Mirkarimi, Maxwell, Alioto-Pier, Ammiano

Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 060457 **[Supporting AB 2573 regarding solar power in San Francisco]**

Supervisor Mirkarimi

Resolution urging the State Legislature to pass Assembly Bill 2573 regarding solar power in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 060458 **[Proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco]**

Supervisor Peskin

Resolution proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060459 [Brown and Toland Medical Group]

Supervisor Peskin

Resolution urging Brown and Toland to cease requiring exclusivity of physicians to participate in the Brown and Toland Preferred Network, in violation of the policy of the City and County of San Francisco and the state and federal and which is affecting the well being of the Chinese Community in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060411 [Final Map for a 16 Unit Residential Condominium Project - 1725 Washington Street]

Motion approving Final Map of 1725 Washington Street, A Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 619, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order NO. 175,956; District 3.)

3/29/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 28, 2006 through April 3, 2006, for reference by President to appropriate committee on April 11, 2006.

060203 **[Tunnel Avenue Weight Restrictions]**
Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue.
(Parking and Traffic Department)

3/31/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060463 **[Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]**
Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment.
(City Attorney)

4/4/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 28, 2006 through April 3, 2006, for reference by President to appropriate committee on April 11, 2006.

060204 **[Airport ITT Network Operations Center and ITT Helpdesk Coverage - FY 2006-07 Proposition J]**
Resolution approving the Controller's certification that Airport ITT Network and Operations Center and ITT Helpdesk Coverage for FY 2006-2007 can be practically performed by a private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)

3/30/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060409 **[Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**
Mayor
Resolution approving the 2006/07 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling $25,151,655; and approving an Expenditure Schedule.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060413 **[Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**
Mayor
Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $928,391; and approving the expenditure schedule for recipient agencies.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060419 **[Apply For-Accept-Expend Federal Funding - HOME Program]**

Mayor

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling $15,016,335; and approving the HOME Program Description as described in the 2006 Action Plan for San Francisco's Consolidated Plan.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060466 **[Petitions and Communications]**

Petitions and Communications received from March 28, 2006 through April 3, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 11, 2006.

From Municipal Transportation Agency, submitting notice of categorical exemption for the Market Street Traffic Safety Zone project. (1)

From Police Department, responding to request for information on what security measures were enacted and what was required from the SFPD and the event sponsors at the Rapper/Dance event that occurred on March 4, 2006 in the Western Addition which resulted in three shootings, two near fatal. (Reference No. 20060307-004) Copy: Supervisor Mirkarimi (2)

From Department of Public Works, reporting that graffiti has been removed from the fire hydrant at Haight and Clayton Streets and the emergency box on the southwest corner of Fulton and Fillmore Streets. (Reference No. 20060321-004) Copy: Supervisor Mirkarimi (3)

From Department of Public Works, reporting that graffiti has been removed from the green boxes at the northwest corners of Webster and Grove Streets, Laguna and Oak Streets and Laguna and Fell Streets. (Reference No. 20060131-011) Copy: Supervisor Mirkarimi (4)

From concerned citizens, expressing support for continued funding of the N.E.R.T. program taught by the Fire Department. 4 letters (5)

From Office of the Controller, submitting the Public Education Fund Annual Report. Copy: Each Supervisor (6)

From concerned citizens, regarding the placement of cameras in some San Francisco neighborhoods to help reduce crimes from being committed. File 060086, Copy: Each Supervisor, 3 letters (7)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Copy: Each Supervisor, approximately 1,500 letters received (8)

From Jackie & Glen Kwan, submitting opposition to categorical exemption from environmental review for the Katherine Delmar Burke School Addition at 229 32nd Avenue. File 060240 (9)

From Department of the Environment, submitting resolution in support of amending the Public Works Code to recognize sidewalk landscaping as an important contributor to the City's quality of life. File 060142, Copy: Land Use and Economic Development Committee (10)

From Mesha Monge-Irizarry, submitting support for decentralizing the Office of Citizens Complaints. (11)

From Mara Becker, commenting that the San Francisco Tobacco Free Coalition has no right to decide what issues will be brought before the Board of Supervisors. Copy: Supervisor Ma (12)

Becky Duckles, regarding the six trees that may be impacted or removed for the proposed construction of the Katherine Delmar Burke School Addition at 229 32nd Avenue. File 060240, Copy: Each Supervisor (13)

From concerned citizens, submitting support for berthing the USS Iowa in San Francisco. 3 letters (14)

From Ahimsa Sumchai, regarding the change in the Laguna Honda Hospital admission policy. (15)

From concerned citizens, submitting support for the Film Rebate Program. File 060065, Copy: Each Supervisor, 3 letters (16)

From Margaret Epler, commenting that if the City wants to encourage the public to use public transportation the least they can do is provide bill changer machines at all Muni stations. Copy: Each Supervisor (17)

From William Smith, submitting opposition to any proposal that would charge a toll to drive in downtown San Francisco. (18)

From Dan Redmond, submitting opposition to proposed legislation that bans smoking on golf courses in San Francisco. File 060434, Copy: Each Supervisor (19)

From concerned citizens, regarding various comments Supervisor Sandoval made on the Bill O'Reilly show. Copy: Each Supervisor, 6 letters (20)

From Residential Rent Stabilization and Arbitration Board, submitting annual report on eviction notices for the period of March 2005 through February 2006. Copy: Each Supervisor (21)

From Society of Professional Journalists, submitting the reappointment of Erica Craven and Richard Knee to the Sunshine Ordinance Task Force, Seats 1 and 2. Copy: Rules Clerk (22)

From Dana Dillworth, commenting on rezoning the Third Street Corridor. (23)

From Redevelopment Agency, submitting a corrected version of the Bayview Hunters Point Redevelopment Plan Project. Copy: Supervisor Maxwell (24)

From concerned citizens, commenting on the treatment of the anti-abortion protestors at City Hall on March 24, 2006. File 060371, Copy: Each Supervisor, approximately 20 letters (25)

From Kimo Crossman, regarding Earthlink taking over the New Orleans Wi-Fi network. (26)

From Kimo Crossman, regarding why public control of WiFi is important. (27)

From Office of the City Attorney, regarding the critical importance of assuring the accuracy of disclosures the City must make in connection with issuing bonds and other evidence of indebtedness. (28)

From Municipal Transportation Agency, regarding steps being taken to coordinate capital improvement efforts near West Portal Track Replacement Project. (Reference No. 20060131-003) Copy: Supervisor Elsbernd (29)

From concerned citizens, expressing support for rapid transit on Geary and concerns about the Geary Corridor Bus Rapid Transit Study. 5 signatures on one letter (30)

From Kimo Crossman, submitting letter entitled "Google faces rivals for SF WiFi" questions about indoor universal coverage persist. (31)

From Department of Public Works, reporting that graffiti has been removed from various locations in District 5. (Reference No. 20060207-007) Copy: Supervisor Mirkarimi (32)

From Department of Public Works, regarding request to repair sidewalks at various locations in District 5. (Reference No. 20060321-005) Copy: Supervisor Mirkarimi (33)

From Caroline Roper-Deyo, concerning tax assessment denial of payment plan offer. (34)

From Bill Tannenbaum, regarding the lack of Muni bus service after 10 p.m. Copy: Supervisor Dufty (35)

From Department of Public Works, reporting that potholes have been filled at various locations in District 5. (Reference No. 20060321-001) Copy: Supervisor Mirkarimi (36)

From Jerry Bland, commenting why he and his family will not be visiting San Francisco. Copy: Each Supervisor (37)

From Public Utilities Commission, submitting the Annual Disclosure Report for the Public Utilities Commission. (38)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

April 6, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Administrative Code to prohibit City employees and City contractors from engaging in masonry dry-cutting and dry-grinding, with exceptions.	060444	City Operations and Neighborhood Services Committee	Supervisor Ma	4/4/06	5/4/06
Ordinances amending Administrative Code to allow for 55-year term Seismic Safety Retrofit Loan Program loans.	060386	Rules Committee	Supervisor Dufty	3/28/06	4/28/06
Ordinance amending Municipal Code to require the Director of Elections to prepare a backup plan for elections whenever the voting system intended to be used in the next election is pending certification from the California Secretary of State.	060387	Rules Committee	Supervisor Mirkarimi	3/28/06	4/28/06
Ordinance requiring contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade.	060396	Rules Committee	Supervisors Maxwell, Mirkarimi	3/28/06	4/28/06
Charter amendment authorizing members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing when physically unable to attend due to pregnancy or childbirth.	060380	Rules Committee	Supervisor Alioto-Pier	3/21/06	4/21/06

Ordinance adding a $1.00 fuel surcharge to taxi fares and eliminating the cap on taxicab gate fees.	060077	Budget and Finance Committee	Supervisor Ma	3/14/06	4/14/06
Ordinance adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project.	060343	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06
Ordinance amending Planning Code (Jackson Square Special Use District) to require that ground floor institutional use is subject to conditional use authorization.	060345	Land Use and Economic Development Committee	Supervisor Peskin	3/14/06	4/14/06
Ordinance amending Planning Code (Northwest corner of Divisadero and O'Farrell Streets) to change use from Small-scale Neighborhood Commercial District to Moderate-scale Neighborhood Commercial District.	060346	Land Use and Economic Development Committee	Supervisor Mirkarimi	3/14/06	4/14/06
Ordinance approving a Tax Increment Allocation and Sales Proceeds Agreement and Option Agreement for the Transbay Redevelopment Project Area.	060347	Budget and Finance Committee	Supervisor Daly	3/14/06	4/14/06
Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planing Code Section 101.1.	060354	Land Use and Economic Development Committee	Supervisor Maxwell	3/14/06	4/14/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton DB. Goodlett Place
San Francisco, CAB 94102-4689
Tuesday, April 18, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Board Meeting Minutes for March 21, 2006 and Special Board Meeting Minutes for the Budget and Finance Committee Meeting of March 22, 2006 and Board Meeting Minutes for March 28, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

1. 051985 **[Deletion of a street flower market location on Market Street at Fifth Street]**
Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street.
(Public Works Department)

4/11/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Dufty, Ma

2. 060255 [Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately $4.5 million from the City Fields Foundation]

Supervisors Ammiano, Alioto-Pier, Maxwell, Ma, Dufty

Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately $4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation; and requiring the RPD General Manager to submit an annual report to the Board that describes actions taken in furtherance of the agreement.

4/11/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

3. 060332 [Settlement of Lawsuit - Mirvat Harb]

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 060335 [Settlement of Lawsuit - Reliant Energy, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 060034 [Expanding the Western SoMa Citizens Planning Task Force]

Supervisor Daly

Resolution expanding the Western SoMa Citizens Planning Task Force and re-defining the Task Force's quorum.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

6. 060253 **[Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]**

Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for $840,000, Lake Merced – Overlook and Trail for $145,860, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, Kelloch – Velasco Park for $617,507, Visitacion Valley Greenway (Raceway) – Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

4/4/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/4/2006, CONTINUED AS AMENDED ON FIRST READING.

4/11/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 060394 **[Appropriating $660,000 to the Department of Children, Youth and Their Families to support the John Swett Alternative School in Department Fiscal Year 2005-06]**

Supervisors Mirkarimi, Daly

Ordinance appropriating $330,000 of Unappropriated General Fund and $330,000 of Children's Baseline Reserve to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

(Fiscal impact.)(Supervisor Elsbernd dissenting in committee)

4/11/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/11/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

8. 060341 [Appropriating $250,000 to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006]

Supervisor Ma

Ordinance appropriating $250,000 of Unappropriated General Fund Revenue to the Arts Commission, Cultural Equity Endowment Grants for Fiscal Year 2005-2006; and reserving the appropriation pending receipt of additional information from the Arts Commission.

(Fiscal impact.)

4/11/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/11/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Ammiano

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060166.

9. 060166 [First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; increasing FSHA reporting requirements, liquidated damages, and penalty sections; amending administrative review process, including review by OLSE]

Supervisors Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 7) increase liquidated damages from up to $2,070.00 to up to $5,000.00 against contractors for initial violations of this Chapter, add provision of liquidated damages of up to $10,000.00 against contractors for each violation discovered during second investigation by FSHA and to provide for administrative review; and 8) increase penalties against permittees and contractors engaged in non-City work performed in San Francisco from up to $2,070.00 to up to $5,000.00 who fail to comply with this Chapter and to provide for administrative review.

4/11/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

10. 051917 **[Amending Community Court Program Administrative Fee]**
Supervisor Daly
Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 060412 **[Appropriating $6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006]**
Supervisors Daly, Mirkarimi
Ordinance appropriating $6,371,327 to fund violence prevention programming and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include $4,200,000 from the Unappropriated General Fund Balance, $991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes $1,731,327 for Children, Youth and Their Families, $200,000 for the Public Defender, $1,390,000 for the Juvenile Probation Department, $1,300,000 for the Mayor's Office of Economic and Workforce Development, $100,000 for the Mayor's Office of Criminal Justice, $450,000 for the Mayor's Office of Community Development, $400,000 for the Sheriff's Department, and $800,000 for the Department on the Status of Women; and reserving $931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and $1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 060209 **[2006 Annual Fundraising Drive]**
Resolution designating those agencies qualified to participate in the 2006 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

10. 051917 [Amending Community Court Program Administrative Fee]
Supervisor Daly
Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 060412 [Appropriating $6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006]
*
Supervisors Ma, Daly, Mirkarimi
Ordinance appropriating $6,371,327 to fund violence prevention programming and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include $4,200,000 from the Unappropriated General Fund Balance, $991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes $1,731,327 for Children, Youth and Their Families, $200,000 for the Public Defender, $1,390,000 for the Juvenile Probation Department, $1,300,000 for the Mayor's Office of Economic and Workforce Development, $100,000 for the Mayor's Office of Criminal Justice, $450,000 for the Mayor's Office of Community Development, $400,000 for the Sheriff's Department, and $800,000 for the Department on the Status of Women; and reserving $931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and $1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 060209 [2006 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2006 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

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13. 060365 [Proposition J Certification, Bad Checks Restitution Program Services]
Supervisor Dufty
Resolution concurring with the Controller's certification that the Bad Checks Restitution Program can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.
(Supervisors Daly and Mirkarimi dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Peskin, Elsbernd

14. 060397 [Adopting Board of Supervisors' 2006 Budget Policy Priorities]
Supervisor Daly
Resolution adopting the San Francisco Board of Supervisors' 2006 Budget Policy Priorities.

Question: Shall this Resolution be ADOPTED?

15. 060401 [Board review and approval of 2006 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]
Supervisor Dufty
Resolution approving the City and County of San Francisco 2006 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Ammiano, Peskin

16. 051724 [Personal Services Minimum Contractual Rate Ordinance]
Supervisor Daly
Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Sandoval, McGoldrick, Mirkarimi

17. 051964 **[Urging Planning Commission to Update Transportation Analyses under CEQA]**
Supervisor Mirkarimi
Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local environmental review criteria to assess transportation impacts more accurately in conformance with updated analytical methods.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, April 17, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, April 18, 2006.

18. 060321 **[Fillmore Street Farmers Market]**
Supervisor Alioto-Pier
Resolution allowing for occupancy of a portion of the sidewalk and the parking lane on the east side of Fillmore between Chestnut and Bay Street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 6, 2006 through October 28, 2006.

Question: Shall this Resolution be ADOPTED?

19. 060342 **[Traffic Regulation - Mendell Street between Palou Avenue]**
Supervisor Maxwell
Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Saturday between April 29, 2006 through December 9, 2006.

Question: Shall this Resolution be ADOPTED?

20. 060352 **[Traffic Regulations]**
Supervisors Mirkarimi, Dufty
Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Market Street, westbound, from Van Ness Avenue to Octavia Boulevard, and eastbound, from Gough Street to 12th Street.

Question: Shall this Resolution be ADOPTED?

21. 060353 [Parking Regulations]
Supervisor Mirkarimi
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4PM - 7PM - RESCIND
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING MONDAY THROUGH FRIDAY, 7AM - 9AM - RESCIND
Market Street, south side, from Gough Street to 12th Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Gough Street to 12th Street.

PERPENDICULAR PARKING - ESTABLISH
12th Street, west side, from Market Street to 400 feet southerly.

DIAGONAL PARKING (45-DEGREE ANGLED) - ESTABLISH
Gough Street, east side, from Market Street to 104 feet southerly, and from Stevenson Street to Colton Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY – ESTABLISH
Gough Street, east side, from Market Street to Colton Street, and west side, from Market Street to McCoppin Street.

ONE-HOUR TIME LIMIT, 7AM – 6PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, east side, from Market Street to Stevenson Street, and west side, from Market Street to McCoppin Street.

Question: Shall this Resolution be ADOPTED?

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

24. 060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**
Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, MOTION to convene in Closed Session.
3/7/2006, CONTINUED. Continued to March 28, 2006
3/28/2006, MOTION to convene in Closed Session.
3/28/2006, CONTINUED. Continued to April 11, 2006
4/11/2006, CONTINUED. Continued to April 18, 2006
Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 29

25. 060485 **[Recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday]**
Supervisors Dufty, Maxwell
Resolution recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday.

4/11/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

26. 060486 [Commending Zoe Dell Lantis Nutter]

Supervisor Elsbernd

Resolution commending Zoe Dell Lantis Nutter, recipient of the San Francisco Aeronautical Society's Achievement in Aviation Award for 2005.

4/11/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 060487 [Landmark Tree Program Criteria and Procedures]

Supervisor McGoldrick

Resolution in support of the Urban Forestry Council's landmark tree criteria and procedure created in accordance with Ordinance Number 17-06.

4/11/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 060488 [Department of Elections Outreach Program]

Supervisor Peskin

Resolution declaring April 2006 "Voter Education and Participation Month".

4/11/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 060489 [Supporting AB-2161, AB-2193, AB-2481, AB-2488, and AB-2489]

Supervisors Ma, Dufty

Resolution in support of the passage of AB 2161(Hancock), AB 2193 (Bass), AB 2481 (Evans), AB 2488 (Leno) and AB 2489 (Leno) to improve and enhance the State's Child Welfare Services to promote successful outcomes for California's, and San Francisco's, foster youth.

4/11/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

30. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding, or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 4, 2006 through April 10, 2006, for reference by President to appropriate committee on April 18, 2006.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 4, 2006 through April 10, 2006, for reference by President to appropriate committee on April 18, 2006.

060460 **[John Elberling Reappointment to the Treasure Island Development Authority Board of Directors]**
Mayor
Resolution confirming the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, term ending February 26, 2010.

3/23/2006, RECEIVED AND ASSIGNED to Rules Committee.

060461 **[Appointment - Treasure Island Development Authority Board of Directors]**
Resolution confirming the appointment of Ted Dienstfrey to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

3/23/2006, RECEIVED AND ASSIGNED to Rules Committee.

060507 **[Petitions and Communications]**

Petitions and Communications received from April 4, 2006 through April 10, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 18, 2006.

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for the following: (1)
Christopher Daly, Member of the Board of Supervisors
Tom Ammiano, Member of the Board of Supervisors and Local Agency Formation Commissioner
Michela Alioto-Pier, Member of the Board of Supervisors
Bevan Dufty, Member of the Board of Supervisors
Jake McGoldrick, Member of the Board of Supervisors and Local Agency Formation Commissioner
Ross Mirkarimi, Member of the Board of Supervisors and Local Agency Formation Commissioner
Thomas Lee, Legislative Aide to Supervisor Tom Ammiano
Rose Chung, Legislative Aide to Supervisor Aaron Peskin
Betty Chan, Legislative Aide to Supervisor Jake McGoldrick
Sarah Ballard, Legislative Aide to Supervisor Michela Alioto-Pier
Amanda Kahn, Legislative Aide to Supervisor Bevan Dufty
John Avalos, Legislative Aide to Supervisor Chris Daly
Angela Calvillo, Legislative Aide to Supervisor Tom Ammiano
Rachel Redonidez, Legislative Aide to Supervisor Chris Daly
Regina Dick-Endrizzi, Legislative Aide to Supervisor Ross Mirkarimi
Boris Delepine, Legislative Aide to Supervisor Ross Mirkarimi
Connie Chan, Legislative Aide to Supervisor Sophie Maxwell
Jaynry Mak, Legislative Aide to Supervisor Fiona Ma
Olivia Scanlon, Legislative Aide to Supervisor Sean Elsbernd
Andrew Hayward, Legislative Aide to Supervisor Bevan Dufty
Cassandra Costello, Legislative Aide to Supervisor Jake McGoldrick
Rob Black, Legislative Aide to Supervisor Michela Alioto-Pier
Frank Darby, Jr., Sunshine Ordinance Task Force Administrator/Records Manager
Kathleen Gulbengay, Deputy Clerk
Pedro Rodriguez, Budget Analyst
Harvey Rose, Budget Analyst
Arthur Louis, Budget Analyst
Peter Fatooh, Assessment Appeals Board Commissioner
Alec Lambie, Assessment Appeals Board Commissioner
Diane Robinson, Assessment Appeals Board Commissioner
Carol Ruth Silver, Assessment Appeals Board Commissioner
Gordon Huseby, Assessment Appeals Board Commissioner
Hayes D. Miles, Assessment Appeals Board Commissioner
Steve Wasserman, Assessment Appeals Board Commissioner
David Wilbur, Assessment Appeals Board Commissioner
Adrienne Lacau, Assessment Appeals Board Commissioner
Margaret Ruxton, Assessment Appeals Board Commissioner
Mervin Conlan, Assessment Appeals Board Commissioner
Richard Lee, Assessment Appeals Board Commissioner
John McGary, Assessment Appeals Board Commissioner
Donna Crowder, Assessment Appeals Board Commissioner
Calvin Abe, Assessment Appeals Board Commissioner
Joseph Tham, Assessment Appeals Board Commissioner
Hope Schmeltzer, Local Agency Formation Commissioner
Marjorie Williams, Member of the Sunshine Ordinance Task Force
Hanley Chan, Member of the Sunshine Ordinance Task Force
Nicholas Mueller, Member of the Sunshine Ordinance Task Force
Heather Sterner, Member of the Sunshine Ordinance Task Force

From Public Utilities Commission, submitting request for release of reserved funds in the amount of $30,602.50 to fund the Director of Laboratories position through June 30, 2006. (2)

From Department of Public Health, submitting request for release of reserved funds in the amount of $39,026 for outreach and case management services to Filipino youth and their families. Copy: Supervisor Daly (3)

From Department of Human Resources, submitting quarterly report for the MEA Management Classification and Compensation Plan. Copy: Each Supervisor (4)

From concerned citizens, submitting opposition to proposed resolution urging the Planning Commission to update transportation analyses under CEQA. File 051964, 2 letters (5)

From Department of Parking and Traffic, reporting that the street sign at the northwest corner of Carl and Willard Streets has been replaced. (Reference No. 20060228-005), Copy: Supervisor Mirkarimi (6)

From Department of Parking and Traffic, regarding remedies to the new traffic patterns and congestion associated with the Octavia Boulevard. (Reference No. 20060328-006) Copy: Supervisor Mirkarimi (7)

From Department of Parking and Traffic, responding to request to install a convex mirror at the intersection of Webster and Wilmot Streets. (Reference No. 20060328-003) Copy: Supervisor Mirkarimi (8)

From the Rent Stabilization Board, regarding how the Rent Board has interpreted Ordinance 041688, requiring a landlord to provide additional keys/key sets within fourteen days of a tenant's written request. (Reference No. 20060314-011) Copy: Supervisor Daly (9)

From Department of Public Works, regarding request to repair the sidewalk at 1289 Webster Street. (Reference No. 20060214-002) Copy: Supervisor Mirkarimi (10)

From Planning Department, responding to inquiry regarding the SRO Health and Safety Task Force. (Reference No. 20060228-011) Copy: Supervisor Ammiano (11)

From Juvenile Probation Department, submitting response to the Controller's Office regarding the Juvenile Probation Department's response to the Civil Grand Jury recommendations issued one year ago. (12)

From Golden Gate Hotel Association, urging the Board to refer proposed legislation regarding tenant mail receptacles back to committee. File 060188, Copy: Each Supervisor (13)

From Department on the Status of Women, submitting the annual report and the six-month report for the Department on the Status of Women. (14)

From Cushman & Wakefield, submitting notice of termination for Cushman & Wakefield West Corp. at 100 California Street, Suite 800 on May 30, 2006. Copy: Mayor (15)

From concerned citizens, submitting support for the Film Rebate Program. File 06065, Copy: Each Supervisor, 25 letters (16)

From Mayor's Office of Housing, submitting request for release of reserved funds in the amount of $200,000 to fund enhancements to a loan and asset management database for the Mayor's Office of Housing and the Redevelopment Agency. (17)

From Office of the Controller, submitting an audit report for China Airlines, Ltd. (18)

From San Francisco Community College District, submitting notice that San Francisco Community College District is selling at fair market value all of its right, title, and interest in and to the property at 1960 Carroll Avenue. Copy: Assessor & Recorder's Office (19)

From BART, submitting an explanation of the BART service disruption on Monday, March 27 and Wednesday, March 29, 2006. Copy: Each Supervisor (20)

From Public Utilities Commission, submitting report on San Francisco's Water Revenue Bonds, 2006 Series A and 2006 Refunding Series B. File 051982, Budget and Finance Committee, Harvey Rose, Committee Clerk (21)

From California Pacific Herring Fishery Manager, submitting notice of preparation of a draft supplemental environmental document for commercial herring fishing in ocean waters. (22)

From concerned citizens, expressing appreciation and support for the N.E.R.T. program taught by the Fire Department. 2 letters (23)

From Department of Parking and Traffic, responding to request to increase the stop sign visibility and install ladder-style crosswalks at the intersection of Grove and Scott Streets. (Reference No. 20060328-006) Copy: Supervisor Mirkarimi (24)

From concerned citizens, expressing their views on restructuring the Arts Task Force. File 060468, approximately 60 letters (25)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Copy: Each Supervisor, 6 letters (26)

From concerned citizens, submitting opposition to closing JFK Drive in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 5 letters (27)

From Natalie Saylor, submitting support for closing JFK in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor (28)

From Anne Steele, suggesting closing a stretch of road on the west end of Golden Gate Park instead of JFK Drive on Saturdays. File 060250, Copy: Each Supervisor (29)

From concerned citizens, regarding various comments made by Supervisor Sandoval on the Hannity and Combs talk show. Copy: Supervisor Sandoval, 20 letters (30)

From concerned citizens, submitting support for the Planning Commission's decision, approving Conditional Use Application for property located at 2660 Harrison Street. File 051991, 2 letters (31)

From Gino Montesinos, urging the San Francisco Board of Supervisors to urge the Los Angeles Mayor and City Council to be proactive in defending its constituents from the effects of the Ellis Act. Copy: Each Supervisor (32)

From concerned citizens, submitting support for paying the public school teachers a fair wage and giving them priority enrollment for their own children at the schools in which they teach. Copy: Each Supervisor, 3 letters (33)

From Susan Shors, urging the Board to repeal the access fee now required to participate in the Community Courts. Copy: Mayor (34)

From Jessie Audette, submitting support for the Community Choice program. (35)

From Mayor's Office of Economic and Workforce Development, submitting notice that the first analytical report prepared as part of the San Francisco Development Strategy can be viewed at www.sfeconomicstrategy.org and on the MOEWD website. (36)

From Williams County Oversight Coordinator for SFUSD, regarding the requirements to conduct oversight visits to District schools; and reporting the findings from those visits to the Board of Education and Board of Supervisors. (37)

From Department of Public Works, submitting the Capital Planning Committee's recommendations for Capital Projects in San Francisco. (38)

From concerned citizens, regarding the treatment of the anti-abortion protestors at City Hall on March 24, 2006. File 060371, 2 letters (39)

From concerned citizens, submitting opposition to legislation that would eliminate the felony conviction disclosure requirement for prospective City employees. 2 letters (40)

From Jonathan Pearlman, submitting opposition to the "Better Neighborhoods Planning and Implementation Process" measure currently before the Land Use and Economic Development Committee. File 050601 (41)

From Marin County, Registrar of Voters, submitting the full text of Measure A passed by the voters of Marin County on June 7, 1988. Copy: Each Supervisor (42)

From Ahimsa Asumchai, regarding the draft Environmental Impact Report for Hunters Point Redevelopment Projects and Zoning documents. File 060343 (43)

From Police Department, submitting the 2005 Compliance Plan for the "Equal Access to City Services for Limited English Speakers" as required by Administrative Code Section 89.9. (44)

ADJOURNMENT

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

General Notice

Transmitted: 04-11-2006

A public hearing will be held on 4/25/2006, at 4:00 PM, or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102

060199 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 869 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 30, 2005 (Case No. 2005.0399E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15303; Class Numbers 1 and 3], the proposed project involving the demolition of a vacant two-story, single-family residential building and the construction of a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf). The proposed project would include three off-street parking spaces in a surface level garage. The project site is a 3,437.5 square feet in size located at 869 North Point Street, Assessor's Block 0026, Lot 019B in the Russian Hill Neighborhood, within the RH-3 (Residential House District, Three-Family) zoning district and a 40-X Height and Bulk district. (Appellants: Roland Salvato on behalf of the Aquatic Park Neighbors and the Ghirardelli Square Neighbors.)

Gloria L. Young, Clerk of the Board

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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Board of Supervisors

City and County of San Francisco

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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AGENDA

Tuesday, April 25, 2006
2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for April 4, 2006 and Special Board Meeting Minutes for the Budget and Finance Committee Meeting for April 5, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

1. 051917 **[Amending Community Court Program Administrative Fee]** **Supervisor Daly**

Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

4/18/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 060412 **[Appropriating $6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006]** **Supervisors Ma, Daly, Mirkarimi**

Ordinance appropriating $6,371,327 to fund violence prevention programming

and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include $4,200,000 from the Unappropriated General Fund Balance, $991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes $1,731,327 for Children, Youth and Their Families, $200,000 for the Public Defender, $1,390,000 for the Juvenile Probation Department, $1,300,000 for the Mayor's Office of Economic and Workforce Development, $100,000 for the Mayor's Office of Criminal Justice, $450,000 for the Mayor's Office of Community Development, $400,000 for the Sheriff's Department, and $800,000 for the Department on the Status of Women; and reserving $931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and $1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

4/18/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma, Mirkarimi

3. 051535 **[Liquor License, 2222 Polk Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 627 Vallejo Street to 2222 Polk Street to Michael Dabit for Polk and Green Produce Market will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

4. 060003 **[Liquor License, Pier 50A, San Francisco]**

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage control license to Peter Granoff, for Ferry Plaza Wine Merchant, LP located at Pier 50A, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

5. 060294 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Rhode Island Street, both sides, from the 1100 block of Rhode Island to 22nd Street (1000 block); and,
Bryant Street, both sides, between 21st and 22nd Streets (2300 block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Lincoln Avenue, south side, between 7th and 8th Avenues (600 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, west side, between Haight and Waller Streets (200 block, odd numbers).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between Cesar Chavez and 27th Streets (portion of the 1400 block).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Geary Street, south side, from the Powell Street intersection to 138 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
South Van Ness Avenue, west side, from 60 to 100 feet north of Cesar Chavez Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Harriet Street, west side, from 245 feet to 292 feet north of Bryant Street (A 47-foot zone accommodating 12 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING, 8 PM TO 4 AM, FRIDAY NIGHT THROUGH SUNDAY MORNING - ESTABLISH
Broadway, both sides, between Columbus Avenue and Montgomery Street.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, between Main and Beale Streets.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

BUS STOP, TOW-AWAY, NO PARKING, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Howard Street, south side, from Spear Street to 90 feet easterly.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Holyoke Street, west side, between Woolsey Street and Karen Court.

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Guerrero Street, east side, from 21st Street to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
10th Avenue, east side, between the driveways of 1365 and 1371 10th Avenue (accommodating 2 unmetered motorcycle spaces). (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Ma

6. 060293 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Jackson Street at Leavenworth Street, westbound, making this intersection an All-Way STOP;
Monterey Boulevard and Congo Street, stopping Monterey Boulevard, making this intersection an All-Way STOP;
14th and Harrison Streets, stopping Harrison Street, making this intersection an All-Way STOP; and,
San Bruno Avenue at Felton Street, stopping San Bruno Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Question: Shall this Resolution be ADOPTED?

7. 060295 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Howard Street, eastbound, approaching Spear Street.

BICYCLE LANE - ESTABLISH
Howard Street, westbound, from the Embarcadero to Fremont Street

BICYCLE LANE - ESTABLISH

Northbound Potrero Avenue at the Cesar Chavez Interchange, from the 101 southbound off-ramp to 190 feet southerly.

MULTIPLE LEFT TURN LANES - RESCIND
Fell Street, westbound, at Octavia Boulevard.

LEFT LANE MUST TURN LEFT - RESCIND
Fell Street, westbound, at Octavia Boulevard.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - RESCIND
Van Ness Avenue southbound, at Bay Street. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Question: Shall this Resolution be ADOPTED?

8. 060314 **[STOP Intersections]** **Supervisor Mirkarimi**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

9. 060315 **[STOP Intersections]** **Supervisor Mirkarimi**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Stopping Haight Street at the south leg of Cole Street, making the west-most Cole Street T-intersection with Haight Street an all-way STOP.

PAINTED CROSSWALK - DELETE
Remove painted crosswalk crossing Haight Street at the north leg of Cole Street (to encourage pedestrian crossings at new all-way STOP).

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

10. 060351 **[STOP Intersections]** **Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Duncan and Dolores Streets, stopping Dolores Street at Duncan Street, making this intersection an All-Way STOP.

Question: Shall this Resolution be ADOPTED?

11. 060373 [Traffic Regulations] Supervisor Peskin

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
North Point Street, both directions, from Van Ness Avenue to The Embarcadero.

RIGHT LANE MUST TURN RIGHT - RESCIND
North Point Street, eastbound approaching The Embarcadero.

LEFT LANE MUST TURN LEFT - RESCIND
North Point Street, eastbound approaching The Embarcadero.

(3/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

12. 060391 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $42,500 from the California Department of Transportation Bicycle Transportation Account (BTA) to collaborate with the nonprofit organization BikeStation on the Embarcadero bike station facility improvement and services upgrade.

Question: Shall this Resolution be ADOPTED?

13. 060445 [Grant to support community program planning and system improvement as part of the Mental Health Services Act] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $656,945 from the California Department of Mental Health for Community Program Planning and System Improvement as part of the Mental Health Services Act (MHSA) (Prop 63), and to enter into an agreement for the use of these funds; for the period of January 6, 2006 to September 30, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

14. 060332 **[Settlement of Lawsuit - Mirvat Harb]**

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

4/18/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 060335 **[Settlement of Lawsuit - Reliant Energy, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

4/18/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 060436 **[Appointment - Sunshine Ordinance Task Force 2000]**

Resolution appointing Erica Craven, Richard Knee, Sue Cauthen, Kristin R. M. Chu, David Pilpel, Bruce Wolfe, and Hanley Chan, terms ending April 27, 2008, to the Sunshine Ordinance Task Force.

Erica Craven, succeeding herself, term expiring April 27, 2006, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for a two-year term ending April 27, 2008.
Richard Knee, succeeding himself, term expiring April 27, 2006, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a journalist, for a two-year term ending April 27, 2008.
Sue Cauthen, succeeding herself, term expiring April 27, 2006, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2008.
Kristin R. M. Chu, succeeding Heather Sterner, term expiring April 27, 2006, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2008.
David Pilpel, succeeding himself, term expiring April 27, 2006, seat 7, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2008.
Bruce Wolfe, succeeding himself, term expiring April 27, 2006, seat 8, must be a

member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.
Hanley Chan, succeeding himself, term expiring April 27, 2006, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Question: Shall this Resolution be ADOPTED?

17. **060439** **[Appointment - Mental Health Board]**

Resolution appointing John Kevin Hines and Virginia Wright, terms ending January 31, 2009, to the Mental Health Board.

John Hines, succeeding himself, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2009.
Virginia Wright, succeeding Dorothy Shaffer, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2009.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Ammiano, Peskin

18. **051724** **[Personal Services Minimum Contractual Rate Ordinance]** **Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

4/18/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

19. 060395 **[Retention of Grocery Workers Upon Change In Control of Grocery Store]** **Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd**

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Dufty, Ma, Mirkarimi

20. 060388 **[Parking Regulations]** **Supervisor Mirkarimi**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Market Street, north side, from Franklin Street to Rose Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY - ESTABLISH
Market Street, north side, from Franklin Street to Rose Street.

(3/24/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Dufty, Ma

21. **060013** **[Amending the Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday]** **Supervisor Ma**

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday, and to make clerical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick, Mirkarimi

22. **060250** **[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006]** **Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano**

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis from May 27, 2006 and continuing for six months through November 25, 2006, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Called from the Land Use and Economic Development Committee

President will entertain a motion to continue the following two items to the May 2, 2006 Board Meeting.

23. **050182** **[Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan]** **Mayor, Supervisor Daly**

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

6/14/2005, RE-REFERRED to Land Use Committee.

4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing same title.

4/18/2006, ASSIGNED to Land Use and Economic Development Committee.

4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 050183 **[Zoning Map amendments in connection with the Transbay Redevelopment Plan]** **Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

6/14/2005, RE-REFERRED to Land Use Committee.

4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing the same title.

4/18/2006, ASSIGNED to Land Use and Economic Development Committee.

4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

25. 050784 **[Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]** **Supervisors Ma, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 060432 **[Adding qualified non-profit enterprises to Small Local Business Enterprise Program]** **Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. **060392** **[Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Three Members]** **Supervisor Dufty**

Motion amending the Board of Supervisors Rules of Orders by amending Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of three members of the Board of Supervisors.

Question: Shall this Motion be ADOPTED?

28. **060404** **[Appointment - Police Commission]**

Motion confirming the Rules Committee's nomination of, and appointing, David Campos, term ending April 30, 2010, to the San Francisco Police Commission.

David Campos, succeeding himself, term expiring on April 30, 2006, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2010.

Question: Shall this Motion be ADOPTED?

29. **060446** **[Dr. Joe Marshall Reappointment to the Police Commission]** **Mayor**

Motion confirming the Mayor's nomination of, and reappointing, Dr. Joe Marshall to the San Francisco Police Commission for a four-year term ending April 30, 2010.

(Charter Section 4.109 - Board of Supervisors must act witin 60 days from the date the nomination is transmitted from the Mayor to the Clerk of the Board's Office. If the Board fails to act on the Mayor's nomination within the 60 days the Mayor's nominee shall be deemed approved.
Transmittal Date: 4/4/06.)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

(Appeals where all parties have agreed to request a continuance or a tabling of the appeal.)

30. 060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

3/28/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members. Continued to April 4, 2006

4/4/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members. There were none. Continued to April 25, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

3/28/2006. CONTINUED. Continued to April 4, 2006

4/4/2006. CONTINUED. Continued to April 25, 2006

Question: Shall this Motion be ADOPTED?

32. 060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

3/28/2006. CONTINUED. Continued to April 4, 2006

4/4/2006. CONTINUED. Continued to April 25, 2006

Question: Shall this Motion be ADOPTED?

33. 060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

3/28/2006. CONTINUED. Continued to April 4, 2006

4/4/2006. CONTINUED. Continued to April 25, 2006

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

34. 060199 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 869 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 30, 2005 (Case No. 2005.0399E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15303; Class Numbers 1 and 3], the proposed project involving the demolition of a vacant two-story, single-family residential building and the construction of a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf). The proposed project would include three off-street parking spaces in a surface level garage. The project site is a 3,437.5 square feet in size located at 869 North Point Street.

Assessor's Block 0026, Lot 019B in the Russian Hill Neighborhood, within the RH-3 (Residential House District, Three-Family) zoning district and a 40-X Height and Bulk district. (Appellants: Roland Salvato on behalf of the Aquatic Park Neighbors and the Ghirardelli Square Neighbors.)

(Filed 3/14/06; companion measure to Files 060200, 060201, 060202; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

35. 060200 **[Affirming the categorical exemption issued for the 869 North Point Street project]**

Motion affirming the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

36. 060201 **[Disapproving the categorical exemption issued for the 869 North Point Street project]**

Motion disapproving the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

37. 060202 **[Preparation of findings related to the 869 North Point Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 869 North Point Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 56

40. 060433 **[Issuance and Sale of Refunding Revenue Bonds - National Center for International Schools]** **Supervisor Daly**

Resolution approving the issuance and sale of refunding revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $18,500,000 for the refinancing of the acquisition, construction, improvement, expansion and equipping of the certain school facilities owned and operated by the National Center for International Schools.

4/4/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

4/18/2006, TRANSFERRED to Board of Supervisors. To be placed on Board Agenda for April 25, 2006, without reference to committee.

Question: Shall this Resolution be ADOPTED?

41. 060500 **[Urging Water Board to Adopt a Water Discharge Permit for Potrero Power Plant that Protects the Bay]** **Supervisor Maxwell**

Resolution urging the San Francisco Bay Regional Water Quality Control Board to issue water discharge permit for Potrero Power Plant that enforces the law and protects the Bay, and urging the Regional Water Board to reject the permit proposed by its staff and adopt the Community Permit, and urging the Regional Water Board to require Mirant to bring the plant into compliance immediately once it is not needed for electric reliability.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060511 **[Bessie Carmichael Elementary School/Filipino Education Center Grade Expansion]** **Supervisor Daly**

Resolution in Support of a Pre-kindergarten through 8th Grade Program at Bessie Carmichael Elementary School/Filipino Education Center.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060512 **[Urging the United States to take action against the Republic of Sudan to end the genocide in Darfur]** **Supervisor Mirkarimi**

Resolution urging the United States to take action against the Republic of Sudan to end the genocide in Darfur.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 060513 **[Commending the organizers of the first annual Poem Under the Dome]** **Supervisor Mirkarimi**

Resolution commending the organizers of the first annual Poem Under the Dome poetry open mic event in City Hall.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060514 **[Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration]** **Supervisors Dufty, Peskin**

Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 060515 **[Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program]** **Supervisors Dufty, Maxwell**

Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. **060516** **[Business Coalition for Benefits Tax Equity]** **Supervisors Elsbernd, Ammiano**

Resolution supporting repealing the taxation of domestic partner health insurance benefits and joining the business coalition for benefits tax equity.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. **060517** **[Supporting Community Development Block Grant Program]** **Mayor, Supervisors Elsbernd, Maxwell, Daly**

Resolution urging the U.S. Congress to allocate $4.3 billion in funding for the fiscal year 2007 Community Development Block Grant Program.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. **060518** **[Aneurysm and Arteriovenous Malformation Awareness Day]** **Supervisor Ma**

Resolution declaring May 7, 2006 as Aneurysm and Arteriovenous Malformation (AVM) Awareness Day.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. **060519** **[Accept-Expend Bequest of Richard D. May Estate]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $20,000 from the RICHARD D. MAY estate to digitize, for public service use, unique historical periodicals dealing with the history of construction and architecture in the Bay Area.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. **050520** **[Support of Cleaner School Buses for the San Francisco Unified School District]** **Supervisors Maxwell, Ammiano**

Resolution supporting Cleaner School Buses for the San Francisco Unified School District and urging the School District to aggressively pursue a new bus contract that would adhere to all the goals of the city to run clean, low-emission buses.

3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/29/2005, ADOPTED.

4/1/2005, RETURNED UNSIGNED.

Question: Shall this Resolution be ADOPTED?

52. 060521 **[Accept-Expend Bequest of Edgar Bowers Estate]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $12,403.52 from the EDGAR BOWERS estate for improvements at the Main Library.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 060522 **[Accept-Expend Bequest of Lorayne Habata Estate]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $65,627.76 from the LORAYNE HABATA estate for landscape improvements at the Western Addition Branch Library in coordination with the renovation of the library scheduled to begin in summer 2006, with completion in late 2007.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 060523 **[Supporting AB 2865, the Healthy Day Cares bill]** **Supervisor Ma**

Resolution supporting Assembly Bill 2865 (Torrico), the Healthy Day Cares bill.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 060525 **[SF Fighters Local 798 and SF Fire Department Historical Society Commendation]** **Supervisors Peskin, Dufty**

Resolution commending the San Francisco Fire Fighters Local 798 and the San Francisco Fire Department Historical Society for coordinating a successful parade to commemorate the 1906 Earthquake and Fire.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 060526 **[Grant funds to provide a nutrition and fitness program for students at Balboa High School and adding one new position]** **Supervisor Sandoval**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend grant funds in the amount of $34,351 from the San Francisco Public Health Foundation for a nutrition and fitness program for students at Balboa High School, adding one (1.0) new position through these funds; for the period of April 1, 2005, to September 30, 2006.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

57. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from April 11, 2006 through April 17, 2006, for reference by President to appropriate committee on April 25, 2006.

060530 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Donald Sargeant against the City and County of San Francisco for $225,000; the lawsuit was filed on March 25, 2005 in San Francisco Superior Court, Case No. 439-805; entitled Donald Sargeant v. City and County of San Francisco, et al.

4/18/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 11, 2006 through April 17, 2006, for reference by President to appropriate committee on April 25, 2006.
None

060528 **[Petitions and Communications]**

Petitions and Communications received from April 11, 2006 through April 17, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 25, 2006.

From Ethics Commission, submitting an amendment to the Campaign Finance Reform Ordinance. File 060267, Copy: Each Supervisor(1)

From Supervisor Dufty, submitting his resignation from the Mental Health Board effective immediately.(2)

From Department on the Status of Women, regarding appropriation of $800,000 to fund violence prevention programs in the areas of domestic violence and sexual assault. File 060412, Copy: Each Supervisor(3)

From Kimo Crossman, regarding the Department of Telecommunication and Information Services and the Mayor's Office of Community Development not responding to his request about the Tech Connect RFP process. 2 letters(4)

From S.F. Medical Society and California Medical Association, submitting a joint statement on safeguarding healthcare access for the Chinese Community. File 060459, Copy: Each Supervisor(5)

From Department of Elections, submitting notification of cancellation of the 2006 Health Service Board Election. Copy: Each Supervisor(6)

From Office of the Legislative Analyst, submitting report on the policies universities and colleges have in place to ensure the peaceful co-existence of students, universities and area residents.File 060144, Copy: Each Supervisor(7)

From concerned citizens, submitting support for closing JFK Drive in Golden Gate to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 7 letters(8)

From concerned citizens, submitting opposition to closing JFK Drive in Golden Gate to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 10 letters(9)

From Regina Sneed, responding to a mailing she received from the Fine Arts Museum Director urging her to oppose closing JFK Drive in Golden Gate Park on Saturdays to motor vehicles. File 060250, Copy: Each Supervisor(10)

From Mayor's Office of Housing, submitting request to release reserved funds in the amount of $200,000 ($150,000 in a Community Development Block Grant and $50,000 in HOME funds) to fund enhancements to a loan and asset management database for the Mayor's Office of Housing and Redevelopment Agency. Files 050598 and 050599, Copy: Supervisor Ammiano(11)

From Mayor's Office of Housing, regarding the time frame to carry out recommendations of the SRO Health and Safety Task Force by the Mayor's Office of Housing and the Planning Department.(Reference No. 20060228-10) Copy: Supervisor Ammiano(12)

From Department of Public Works, responding to request to remove graffiti from various locations in District 5.(Reference No. 20060328-001) Copy: Supervisor Mirkarimi(13)

From Department of Public Works, responding to request to clean the grates at the intersection of Eddy and Laguna Streets. (Reference No. 20060321-003) Copy: Supervisor Mirkarimi(14)

From Department of Public Works, reporting that the graffiti has been removed from the ADA ramp at the southwest corner of Waller and Steiner Streets. (Reference No. 20060328-008) Copy: Supervisor Mirkarimi(15)

From Department of Public Works, reporting that the graffiti has been removed from the phone box at the southwest corner of Steiner and Page Streets. (Reference No. 20060328-009) Copy: Supervisor Mirkarimi(16)

From Department of Public Works, regarding graffiti removal at Pierce Street between Grove and McAllister Streets. (Reference No. 20060328-004) Copy: Supervisor Mirkarimi(17)

From SF Conservatory of Music, submitting support for the Arts Task Force, the year-long study to find ways to improve San Francisco's existing arts support system and to stabilize funding for arts organizations and agencies. File 060470, Copy: Government Audit and Oversight Committee(18)

From concerned citizens, submitting support for the Film Rebate Program. File 060065, 2 letters(19)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, 20 letters(20)

From Michael Harkin, urging the Board of Supervisors to pass a resolution to rename Bush Street.(21)

From concerned citizens, suggesting closing Transverse Drive west to the ocean for six months on Saturdays instead of JFK Drive in Golden Gate Park. File 060250, Copy: Each Supervisor(22)

From Ahimsa Sumchai, concerning ethics complaint against Supervisor Maxwell allegedly soliciting campaign funds during deliberations before a Land Use and Economic Development Committee.(23)

From Jessica Ainsworth, regarding the number of Ellis Act evictions in San Francisco.(24)

From George Chrisman, regarding the economic benefits of berthing Navy ships in San Francisco Port. Copy: Each Supervisor(25)

From Jeffrey Reiken-Johnson, submitting support for additional City services including a community-wide Detox Center, AIDS/HIV services including essential health and hygiene services.(26)

From Tom Battipaglia, submitting opposition to proposed smoking ban in bus shelters. File 051669, Copy: Each Supervisor(27)

From Ingrid Sarembe, regarding the use of Veteran's space in the War Memorial Veteran's Building.(28)

From Clerk of the Board, regarding an in-kind contribution from the Chamber of Commerce for three-City officials or employees to join the Chamber's delegation to New York as part of City Trip New York, May 2-6, 2006. Copy: Each Supervisor(29)

From Owner, Mollie Stone's Markets, submitting opposition to proposed legislation regarding the "Grocery Worker Retention Ordinance". File 060395, Copy: Each Supervisor(30)

From California Grocers Association, submitting request for an economic analysis of the Grocery Worker Retention Ordinance. File 060395, Copy: City Operations and Neighborhood Services Committee(31)

From North Beach Neighbors, submitting copy of letter sent to the Telegraph Hill Dwellers regarding proposed changes to the current boundaries of the Telegraph Hill Dwellers. Copy: Supervisor Peskin(32)

From Department of Child Support Services, regarding Ordinance 227-05 which requires City departments to report annually for the previous three fiscal years on the value of damages sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the

property.(33)

From Office of the Controller, submitting report concerning the review of selected contracts between the Department of Public Health and nonprofit organizations. (34)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management.(35)

From Carl Noe, submitting support for legislation banning smoking in bus shelters. File 051669, Copy: Each Supervisor(36)

From Jeff Webster, submitting opposition to proposed tax break for landlords that allow tenants with pets. Copy: Each Supervisor(37)

From Municipal Transportation Agency, reporting on graffiti removal from garbage cans at various locations in District 5. (Reference No. 20060411-012) Copy: Supervisor Mirkarimi(38)

From Municipal Transportation Agency, reporting on graffiti removal from utility poles at various locations in District 5. (Reference No. 20060411-013) Copy: Supervisor Mirkarimi(39)

From Municipal Transportation Agency, reporting on graffiti removal from emergency boxes, newsracks, a Viacom billboard and phone booth in District 5. (Reference No. 20060411-014) Copy: Supervisor Mirkarimi(40)

From Department of Public Works, regarding graffiti removal from the Chronicle, Bay Guardian and SF Weekly newspaper dispensers at Haight and Ashbury and Haight and Clayton. (Reference No. 20060404-005) Copy: Supervisor Mirkarimi (41)

From concerned citizens, submitting support to increase funding for the Arts Task Force, but not for creating a new City department of arts and culture. File 060470, Copy: Each Supervisor, 4 letters(42)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for Alice Guidry, Legislative Assistant to Supervisor Maxwell.(43)

From Thomas Master, regarding the cost of a street cleaning citation.(44)

ADJOURNMENT

Meeting Procedures

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File 060347

NOTICE OF PUBLIC HEARING OF THE SAN FRANCISCO BOARD OF SUPERVISORS ON THE PROPOSED TAX INCREMENT ALLOCATION AND SALES PROCEEDS PLEDGE AGREEMENT TO ASSIST IN THE CONSTRUCTION OF THE TRANSBAY TERMINAL PROJECT WITHIN THE TRANSBAY REDEVELOPMENT PROJECT AREA AND ON THE ADOPTION OF FINDINGS PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco (the "Board") will hold a public hearing on Tuesday, May 2, 2006, at 3:00 p.m., in City Hall, 2nd Floor Legislative Chamber, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the proposed Tax Increment Allocation and Sales Proceeds Pledge Agreement to assist in the construction of the Transbay Terminal Project within the Transbay Redevelopment Project Area and the adoption of findings pursuant to Sections 33445 and 33679 of the California Community Redevelopment Law.

Pursuant to Sections 33445 and 33679 of the California Health and Safety Code, a written Summary has been prepared which contains the following information: (a) the estimate of tax increment revenues proposed to be used to pay for construction of the Project, (b) the facts supporting the determination required under California Health and Safety Code Section 33445, and (c) the redevelopment purposes for which the tax increment revenues are being used to pay for the construction of Transbay Terminal Project. Based upon the written Summary and other matters in the record before it, the Board of Supervisors will consider whether to make certain findings, including without limitation, the following: (1) the estimated Agency obligation for the tax increment revenue dedicated to the Transbay Terminal Project is $178.2 million (in constant FY 2004/05 dollars); (2) the Transbay Terminal Project is of benefit to the Project Area; (3) no other reasonable means of financing the construction of the Transbay Terminal Project is available to the community; and (4) the use of Agency funds to construct the Transbay Terminal Project will assist in the elimination of blighting conditions in the Project Area, specifically, the elimination of a dilapidated and obsolete terminal building which will be replaced by the Transbay Terminal Project. The Transbay Terminal Project will help to revitalize the Project Area and stimulate private investment. The Transbay Terminal Project is a public benefit and a central part of the Redevelopment Plan.

Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the text of the proposed Tax Increment Allocation and Sales Proceeds Pledge Agreement, the written Summary, and any other information pertaining to the proposed Tax Increment Allocation and Sale Proceeds Pledge Agreement and findings related thereto at the office of the Clerk of the Board, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, California.

DATED: April 14, 2006
Pbulsihed 4/18/ & 4/25

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 2, 2006 2:00 PM

Regular Meting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

1. 060395 **[Retention of Grocery Workers Upon Change In Control of Grocery Store]**
Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd
Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

4/25/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

. 050784 **[Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]**
Supervisors Ma, Mirkarimi, Ammiano
Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

4/25/2006, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

. 060432 **[Adding qualified non-profit enterprises to Small Local Business Enterprise Program]**
Supervisor Ammiano
Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

4/25/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

. 060463 **[Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]**
Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 060405 **[Appointment - Biodiesel Access Task Force]**

Resolution appointing Adam Hagen, Eric Bowen, Melissa Hardy, Benjamin P. Jordan and Karri Ving, terms ending December 31, 2007, to the Biodiesel Access Task Force.

Adam Hagen, new appointment, seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Eric Bowen, new appointment, seat 2, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Melissa Hardy, new appointment, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Benjamin P. Jordan, new appointment, seat 4, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Karri Ving, new appointment, seat 5, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Community members may include organizations. No organization may have more than one representative on the Task Force.

Question: Shall this Resolution be ADOPTED?

6. 060506 **[Appointment - Urban Forestry Council]**

Resolution appointing Milton Marks, term ending April 5, 2007, to the Urban Forestry Council.

Milton Marks, succeeding Michael Sullivan, resigned, seat 6, must be a representative of the community, for a two year-term ending April 5, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick, Mirkarimi

7. **060250** **[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006]**

Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

4/25/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/25/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

8. 060393 **[Prohibiting Smoking on Golf Courses]**
Supervisor McGoldrick
Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.
(Fiscal impact.)
(Supervisors Peskin and Elsbernd dissented in Committee.)

4/4/2006, REFERRED to Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

9. 060473 **[Appropriating $148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission]**
Mayor
Ordinance appropriating $148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

10. 060256 **[Sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to Redevelopment Agency for $1,500,000.00 and appropriating the sales proceeds for roadway maintenance of the Embarcadero.]**
Supervisor Peskin
Ordinance approving the sale of real property located at Broadway and Sansome Streets (235-295 Broadway)(Assessor's Block 165 Lot 21) to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for $1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating $1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Elsbernd

11. 060338 **[Sale of Surplus Property -107 24th Ave.]**

Resolution confirming the sale of surplus City-owned property located at 107 24th Avenue (Lots 39 and 40 in Assessor's Block 1334) at public auction and authorizing the Director of Property to execute deeds to the successful bidders.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

12. 060409 **[Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**
Mayor

Resolution approving the 2006/07 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling $25,151,655; and approving an Expenditure Schedule.

Question: Shall this Resolution be ADOPTED?

13. 060413 **[Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**
Mayor

Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $928,391; and approving the expenditure schedule for recipient agencies.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

14. 060419 **[Apply For-Accept-Expend Federal Funding - HOME Program]**
Mayor

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling $15,016,330, and placing $5,000,000 on reserve for new family rental housing; and approving an Expenditure Schedule.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Peskin

15. 060368 **[Fixing Compensation - Unrepresented Employees]**

Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

16. 051065 [Zoning Map Amendment for 425 Mason Street]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, McGoldrick

17. 060443 [Prohibition on condominium conversion for buildings where specified evictions occurred]
Supervisor Peskin

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

18. 051837 [Exceptions to the Ban on Compensated Advocacy]
Supervisor Mirkarimi

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter.
(Ethics Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 051876 [Statements of Economic Interests for Candidates for City Elective Office]
Supervisor Mirkarimi
Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy.
(Ethics Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 060421 [Confirming the reappointment of Reverend James McCray to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010]
Mayor
Resolution confirming the reappointment of James McCray to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Question: Shall this Resolution be ADOPTED?

21. 060422 [Confirming the reappointment of Shirley Breyer Black to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010]
Mayor
Resolution confirming the reappointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Question: Shall this Resolution be ADOPTED?

22. 060423 [Confirming the appointment of Mr. Tom Nolan to the Municipal Transportation Agency Board of Directors, term ending March 1, 2009]
Mayor
Resolution confirming the appointment of Tom Nolan to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Question: Shall this Resolution be ADOPTED?

23. 060424 [Confirming the appointment of Leah Shahum to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]
Mayor
Resolution confirming the appointment of Leah Shahum to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

24. **060460** **[John Elberling Reappointment to the Treasure Island Development Authority Board of Directors]**

Mayor

Resolution confirming the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, term ending February 26, 2010.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

25. 060556 **[Hearing - Transbay Redevelopment Project, Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]**

Hearing of persons interested in or objecting to proposed Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

26. 060347 **[Transbay Redevelopment Project -Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]**

Supervisor Daly

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Called from the Land Use and Economic Development Committee

27. 050182 **[Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005
4/5/2005, CONTINUED. Continued to May 10, 2005
5/10/2005, CONTINUED. Continued to June 14, 2005
6/14/2005, RE-REFERRED to Land Use Committee.
4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing same title.
4/18/2006, ASSIGNED to Land Use and Economic Development Committee.
4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.
4/25/2006, CONTINUED. Continued to May 2, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 050183 **[Zoning Map amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005
4/5/2005, CONTINUED. Continued to May 10, 2005
5/10/2005, CONTINUED. Continued to June 14, 2005
6/14/2005, RE-REFERRED to Land Use Committee.
4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing the same title.
4/18/2006, ASSIGNED to Land Use and Economic Development Committee.
4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.
4/25/2006, CONTINUED. Continued to May 2, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

29. 060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

3/28/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to April 4, 2006

4/4/2006, CONTINUED. Continued to April 25, 2006

4/25/2006, CONTINUED. Continued to May 2, 2006

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

30. **060241** **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
Question: Shall this Motion be APPROVED?

31. **060242** **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
Question: Shall this Motion be APPROVED?

32. **060243** **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

35. 060544 **[Legislative Analyst Request - Allocated appropriated funds for violence prevention]**
Supervisor Ma
Motion requesting the Legislative Analyst to prepare a report (File No. 060412) on how funds are appropriated for violence prevention will be allocated by the various departments.

Question: Shall this Motion be APPROVED?

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

36. **060288** **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, MOTION to convene in Closed Session.
3/7/2006, CONTINUED. Continued to March 28, 2006
3/28/2006, MOTION to convene in Closed Session.
3/28/2006, CONTINUED. Continued to April 11, 2006
4/11/2006, CONTINUED. Continued to April 18, 2006
4/18/2006, MOTION to convene in Closed Session.
4/18/2006, CONTINUED. Continued to May 2, 2006

Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

37. 060555 **[Closed Session - Existing Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and the following regulatory matters in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

Pacific Gas and Electric Company v. City and County of San Francisco; U.S. Bankruptcy Court, Northern District of California, Case No. 01-30923-DM; Adv. Proc. No. 04-3071, filed April 30, 2004;

City and County of San Francisco v. Pacific Gas and Electric Company, Federal Energy Regulatory Commission, Docket No. EL05-133-000, filed June 29, 2005;

Pacific Gas & Electric Company, Docket No. ER05-1190-000, Federal Energy Regulatory Commission, filed July 1, 2005.
(City Attorney)

Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

38. 060474 **[Appropriating $4,100,000 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E]**
Mayor
Ordinance appropriating $4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 39 through 49

39. 060520 **[Accept-Expend Bequest of Marge Falk Trust]**
Supervisor Elsbernd
Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $19,077 from the MARGE FALK Revocable Trust for public service improvements at the Library for the Blind located within the Main Library.

4/18/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick
Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/31/2006, CONTINUED. Continued to February 7, 2006

2/7/2006, CONTINUED. Continued to February 28, 2006

2/28/2006, CONTINUED. Continued to March 28, 2006

3/28/2006, CONTINUED. Continued to May 2, 2006

Question: Shall this Resolution be ADOPTED?

41. 060545 **[Urging the San Francisco Police Commission ensure the new reform policy includes rigorous oversight to prevent misconduct of its police officers]**

Supervisor Ammiano

Resolution urging the San Francisco Police Commission ensure thorough methods of oversight of misconduct issues in the new reform policy submitted by the San Francisco Police Department.

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060546 **[Asian Pacific Islander Family Resources Network Day]**

Supervisor Ma

Resolution recognizing May 5, 2006 as "Asian Pacific Islander Family Resources Network (APIFRN) Day."

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060547 **[Accept-Expend Federal and State Grants for Voting Equipment]**

Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed $400,000 for voting equipment for the June 6, 2006 election.

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 060548 **[Phillip and Sala Burton Human Rights Center]**

Supervisors Peskin, Dufty, Daly

Resolution supporting the two-year development plan for the Phillip and Sala Burton Human Rights Center and declaring June 1st, 2006 Phillip and Sala Burton Day in San Francisco.

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060549 **[Gift to City of Travel from Chamber of Commerce for 2006 CityTrip]**

Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City official's or employees to join the Chamber on its 2006 CityTrip to New York City.

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 060554 [Commending Cleopatra Vaughns]
Supervisor Ma
Resolution commending Cleopatra Vaughns and acknowledging her tremendous contributions to the San Francisco Municipal Transportation Agency.

4/25/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 060577 [Final Map for a 48 Unit Commercial/Residential Condominium Project - 201 Sansome Street]
Motion approving Final Map of 201 Sansome Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 0260, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,972; District 3.)

4/17/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

48. 060578 [Final Map for a 104 Unit Commercial/Residential Condominium Project - 690 Market Street]
Motion approving Final Map of 690 Market Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 006 in Assessor's Block No. 0311, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,993; District 6.)

4/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

49. 060579 [Final Map for a 9 Unit Commercial/Residential Condominium Project - 334 6th Street]
Motion approving Final Map of 334 6th Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 3754, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,985; District 6.)

4/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 18, 2006 through April 24, 2006, for reference by President to appropriate committee on May 2, 2006.

060566 **[Eliminating the Trial Courts Cash Revolving Fund]**
Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund.
(City Attorney)

4/19/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060567 **[Settlement of Lawsuit - Eliana Martella]**
Ordinance authorizing settlement of the lawsuit filed by Eliana Martella against the City and County of San Francisco for $175,000; the lawsuit was filed on July 22, 2004 in Superior Court, Case No. CGC-04433236; entitled Eliana Martella, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the reduction of the San Francisco General Hospital lien from $17,829.64 to $12,829.64.
(City Attorney)

4/18/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 18, 2006 through April 24, 2006, for reference by President to appropriate committee on May 2, 2006.

060568 **[Extension of One Year Tolling Agreement between Daly City and San Francisco]**
Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco").
(City Attorney)

4/19/2006, RECEIVED AND ASSIGNED to Rules Committee.

060569 **[Settlement of Claim - Daly City]**
Resolution approving Settlement of Claim by City and County of San Francisco ("San Francisco") against the City of Daly City ("Daly City"
(City Attorney)

4/19/2006, RECEIVED AND ASSIGNED to Rules Committee.

060574 **[Lease of Real Property at 1380 Howard Street]**
Resolution authorizing the renewal and expansion of a lease of 79,950 sq. ft. of space at 1380 Howard Street for the Department of Public Health.
(Real Estate Department)

4/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060591 [Petitions and Communications]

Petitions and Communications received from April 18, 2006 through April 24, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 2, 2006.

From Municipal Transportation Agency, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Tire Wheel Assemblies to Penn Machine Company. (1)

From Clerk of the Board, submitting list of organizations, including membership cost, in which the Board of Supervisors/Clerk of the Board's Office, wishes to be a member in fiscal year 2006-07. (2)

From Ethics Commission, submitting support for revised legislation entitled "Forty-Five Day Electronic Reports of Campaign Funds." (3)

From SRO Health and Safety Taskforce, submitting notice that the SRO Health and Safety Taskforce is withdrawing support for the Neighborhood Sanitation and Housing Habitability Ordinance. File 0600029, Copy: Supervisors McGoldrick, Dufty, Ma (4)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Catherine McManus, Legislative Assistant to Supervisor Dufty. (5)

From Human Services Agency, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Target Department Store. (6)

From Office of the Controller, submitting report concerning the audit of the La Playa Apartments. (7)

From Office of the Controller, submitting a cost analysis of the ordinance fixing compensation for unrepresented employees. File 051015 (8)

From Office of the City Attorney, submitting memorandum-addressing Proposition H, the Public Education Enrichment Fund. File 060467, Copy: Each Supervisor (9)

From Office of the Controller, submitting report concerning review of the Statement of Cash and Investments as of September 30, 2005 for the Office of the Treasurer and Tax Collector. (10)

From Fire Department, submitting its Annual Report of Revenue Recovery for Damage to City Property as required by Administrative Code Section 4.26. (11)

From State Senate Rules Committee, submitting reappointment of John Hayashi and Jeffrey Young and appointment of Monica Hunter, as members of the Water Quality Control Board, Central Coast Region. (12)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported for the period ending March 31, 2006. (13)

From Office of the Controller, regarding the MTA's Transit Effectiveness Project. Copy: Each Supervisor (14)
From Planning Department, regarding the issuance of a Categorical Exemption for the proposed project at 869 North Point Street. File 060199, Copy: Each Supervisor, City Attorney (15)

From Bicycle Advisory Committee, urging the Board to pass legislation to establish bike lanes on Market Street, westbound from Van Ness Avenue to Octavia, and eastbound from Gough Street to 12th Street. File 060352, Copy: Supervisors McGoldrick, Dufty, Ma (16)

From Clerk of the Board, submitting responses to the recommendations of the Civil Grand Jury, fiscal year 2003-04 and fiscal year 2004-05. (17)

From concerned citizens, submitting opposition to proposed legislation regarding the Minimum Wage Implementation and Enforcement Ordinance. File 060247, Copy: Each Supervisor, approximately 150 letters (18)

From Department of Public Health, submitting annual list of membership organizations for fiscal year 2006-07. (19)

From Municipal Transportation Agency, regarding plans to improve pedestrian safety along the O'Shaughnessy Boulevard corridor. (Reference No. 20060312-0012) Copy: Supervisor Elsbernd (20)

From Jeffer, Mangels, Butler & Marmaro LLP, submitting opposition to appeal filed for proposed project at 869 North Point Street. File 060199, Copy: Each Supervisor, City Attorney (21)

From Planning Department, recommending approval, with modification, to ordinance amending the Planning Code Section related to the Inclusionary Affordable Housing Program. File 060084, Copy: Each Supervisor (22)

From Coalition for Economic Equity, submitting support for proposed legislation establishing a Small Local Business Enterprise Program; prohibiting discrimination in contracting and subcontracting. File 050784, Copy: Each Supervisor, Rules Clerk (23)

From concerned citizens, submitting support for closing JFK Drive in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 7 letters (24)

From concerned citizens, submitting opposition to closing JFK Drive in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 10 letters (25)

From Bruce Brugmann, submitting article from the Bay Guardian entitled "Sunshine smoke screens" dated April 18, 2006. (26)

From Walk San Francisco, submitting support for appointing Leah Shahum to the MTA Board. File 060424, Rules Committee (27)

From concerned citizens, submitting support for appointing Ron Silberstein to the Biodiesel Access Task Force. Copy: Rules Clerk (28)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, 10 letters (29)

From Supervisor Elsbernd, submitting copy of letter sent to Bruce Brugmann, Editor, Bay Guardian, regarding open government laws. (30)

From Stanley Pun, submitting support for the Neighborhood Emergency Training Program taught by Fire Department Personnel. (31)

From concerned citizens, submitting opposition on proposed legislation prohibiting condominium conversion for buildings where specified evictions occurred. File 060443, Approximately 150 letters (32)

From Doug Comstock, regarding filing his 2005-06 Campaign Consultant registration report with the Ethics Commission. File 060529 (33)

From Civil Service Commission, regarding the Salary Survey for the Registered Nurse Classification, fiscal year 2006-07. Copy: Each Supervisor (34)

From concerned citizen, submitting support for the Film Rebate Program. File 060065, 3 letters (35)

From Department of Parking and Traffic, regarding graffiti removal from light boxes and parking signs at various locations in District 5. (Reference No. 20060214-005) (36)

From concerned citizens, submitting various comments on the Redevelopment Plan for Hunters Point. File 060343, Copy: Each Supervisor, 8 letters (37)

From Department of Public Health, submitting the quarterly AIDS surveillance report. (38)

From Teri Spijkerman, regarding the lack of rental housing for people with pets in San Francisco. Supervisors Dufty, Daly (39)

From Ryan Chamberlain, regarding tracking the text of proposed legislation on the Board of Supervisors website. (40)

From Public Utilities Commission, responding to request to repair the streetlight bulb at the southwest corner of Grove and Buchanan Streets. (Reference No. 20060404-004) Copy: Supervisor Mirkarimi (41)

From Department of Public Works, regarding the procedure the Department of Public Works has with respect to communicating to the Police Department on recovered bicycles with the intent to restore them to their rightful owner. (Reference No. 20060228-008) Copy: Supervisor Mirkarimi (42)

From John Davis, submitting support to restore the $41,000 cut from New Leaf's Caregiver Support Program. (43)

From Liz Lisle, submitting support for the recommendations and findings of the San Francisco Arts Task Force. File 060470, Copy: Government Audit and Oversight Committee (44)

From concerned citizens, submitting opposition to 24/7 bike lanes on Market Street between Franklin and Octavia Streets. File 060352, Copy: Each Supervisor, 12 letters (45)

From concerned citizens, submitting support for proposed 24/7 bike lanes on Market Street between Franklin and Octavia Streets. File 060352, Copy: Each Supervisor, 2 letters (46)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
MAY - 5 2006
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 9, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

1. 060256 **[Sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to Redevelopment Agency for $1,500,000.00 and appropriating the sales proceeds for roadway maintenance of the Embarcadero.]**

Supervisor Peskin

Ordinance approving the sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for $1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating $1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.

(Fiscal impact.)

5/2/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

2. 060473 **[Appropriating $148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission]**
Mayor
Ordinance appropriating $148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06. (Fiscal impact.)

5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

3. 060291 **[Liquor License Transfer, 86 Second Street]**
Resolution determining that the transfer of a Type 47 on-sale general for bona fide public eating place license from 1695 Market Street to 86 Second Street, and the exchange of said license for a Type 48 on-sale general public premises license for M & M Group Assets, Inc. dba DaDa SF Studio, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

4. 060496 **[Accept-Expend a grant from the Friends of the San Francisco Public Library]**
Supervisor Elsbernd
Resolution authorizing the San Francisco Public Library to retroactively accept and expend a grant in the amount of $23,400 from the Friends of the San Francisco Public Library for a part-time, as-needed, editor for the publication, At the San Francisco Public Library.

Question: Shall this Resolution be ADOPTED?

5. 060498 **[Grant to provide direct access to housing for chronic alcoholics]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $982,033 from the US Department of Housing and Urban Development (HUD) for direct access to housing for chronic alcoholics, to enter into an agreement for the use of these funds, and to add one (1.0) new position funded through this agreement; for the period of April 1, 2006, to March 31, 2008.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present Supervisors Ammiano, Peskin

6. 060368 **[Fixing Compensation - Unrepresented Employees]**
Mayor
Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.
(Fiscal impact.)

5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

7. 051065 **[Zoning Map Amendment for 425 Mason Street]**
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

8. 051837 **[Exceptions to the Ban on Compensated Advocacy]**
Supervisor Mirkarimi
Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter.
(Ethics Commission)

5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 051876 **[Statements of Economic Interests for Candidates for City Elective Office]**
Supervisor Mirkarimi
Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy.
(Ethics Commission)

5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

10. 060463 **[Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]**
Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment.
(City Attorney)

5/2/2006, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 060529 **[Appointment - Sunshine Ordinance Task Force]**
Hearing to consider appointing two members to the Sunshine Ordinance Task Force 2000.
2 seats being considered
Succeeding Doug Comstock, term expiring April 27, 2006, seat 6, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2008.
Succeeding Nicholas Mueller, term expiring April 27, 2006, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

12. 060610 **[Adopting findings related to disapproving the categorical exemption issued for the 869 North Point Street Project]**
Motion adopting findings related to disapproving the determination by the Planning Department that the 869 North Point Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

4/27/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

13. 060393 **[Prohibiting Smoking on Golf Courses]**
Supervisor McGoldrick
Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.
(Fiscal impact.)
(Supervisors Peskin and Elsbernd dissented in Committee.)

4/4/2006, REFERRED to Budget and Finance Committee.

5/2/2006, CONTINUED. Continued to May 9, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Dufty, Ma

14. **060013** **[Amending the Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday]**

Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday, and to make clerical corrections.

4/25/2006, CONTINUED. Continued to May 9, 2006

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Clerk

15. **060347** **[Transbay Redevelopment Project -Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]**

Supervisor Daly

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679. (Fiscal impact.)

5/2/2006, PASSED ON FIRST READING. Amendments to Option Agreement only, presented by Deputy City Attorney Donnell Choy.

Question: Shall this Ordinance be FINALLY PASSED?

Called from the Land Use and Economic Development Committee

16. 050182 **[Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005
4/5/2005, CONTINUED Continued to May 10, 2005
5/10/2005, CONTINUED. Continued to June 14, 2005
6/14/2005, RE-REFERRED to Land Use Committee.
4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing same title.
4/18/2006, ASSIGNED to Land Use and Economic Development Committee.
4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.
4/25/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

17. 050183 **[Zoning Map amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sectional Maps 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005
4/5/2005, CONTINUED. Continued to May 10, 2005
5/10/2005, CONTINUED. Continued to June 14, 2005
6/14/2005, RE-REFERRED to Land Use Committee.
4/18/2006, SUBSTITUTED. Supervisor Daly submitted a substitute bearing the same title.
4/18/2006, ASSIGNED to Land Use and Economic Development Committee.
4/18/2006, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.
4/25/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Amendment of the Whole.
5/2/2006, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick, Mirkarimi

18. 060250 **[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006]**

Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

4/25/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/25/2006, PASSED ON FIRST READING AS AMENDED.

5/2/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Amendment of the Whole

5/2/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

19. 060443 **[Prohibition on condominium conversion for buildings where specified evictions occurred]**

Supervisor Peskin

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

5/2/2006, CONTINUED. Continued to May 9, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors Daly, Peskin, Mirkarimi, Elsbernd

20. 060476 **[Cash Revolving Funds - Commission on the Environment]**
Mayor
Ordinance amending the Administrative Code by deleting Section 10.169-12.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 060333 **[IHSS Provider Benefits and Administration Contract Approval – San Francisco IHSS Public Authority]**
Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of Administration, health and dental benefits to IHSS Independent Providers for the period of July 1, 2006 to June 30, 2012, in the amount of $201,786,117.00
(Human Services Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

22. 060336 **[Contract between the Department of Public Health and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services]**
Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services for the period of April 1, 2006 through March 31, 2010.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

23. 060337 **[Contract between the Department of Public Health and Health Advocates, LLC to provide uncompensated care recovery services]**
Resolution retroactively authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLC to provide uncompensated care reimbursement recovery services.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

24. 060203 **[Tunnel Avenue Weight Restrictions]**
Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Dufty, Ma

25. 060162 **[Amending the Traffic Code to establish a single consolidated list of weight-restricted streets]**
Supervisor Maxwell
Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166 through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street to the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 060441 **[Parking Regulations - Glen Park]**
Supervisor Dufty
Resolution enacting parking regulations at various locations.

PARKING METER AREA 3, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bosworth Street, north side, from Diamond Street to Lippard Street.

2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bosworth Street, north side, from Lippard Street to Elk Street.
(3/31/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Dufty

27. 060354 **[Approving General Plan amendments to South Bayshore Area Plan]**
Supervisor Maxwell
Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

28. 060559 **[Public Hearing - Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area]**

Hearing to consider the possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

29. 060343 **[Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]**
Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.)

(4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

30. 060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

3/28/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to April 4, 2006

4/4/2006, CONTINUED. Continued to April 25, 2006

4/25/2006, CONTINUED. Continued to May 2, 2006

5/2/2006, CONTINUED. Continued to May 9, 2006.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. **060241** **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, CONTINUED. Continued to May 9, 2006.
Question: Shall this Motion be APPROVED?

32. **060242** **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, CONTINUED. Continued to May 9, 2006.
Question: Shall this Motion be APPROVED?

33. **060243** **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

3/28/2006, CONTINUED. Continued to April 4, 2006
4/4/2006, CONTINUED. Continued to April 25, 2006
4/25/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, CONTINUED. Continued to May 9, 2006.
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, May 8, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 9, 2006.

34. 060593 **[Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco]**

Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

37. **060555** **[Closed Session - Existing Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and the following regulatory matters in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

Pacific Gas and Electric Company v. City and County of San Francisco; U.S. Bankruptcy Court, Northern District of California, Case No. 01-30923-DM; Adv. Proc. No. 04-3071, filed April 30, 2004;

City and County of San Francisco v. Pacific Gas and Electric Company, Federal Energy Regulatory Commission, Docket No. EL05-133-000, filed June 29, 2005;

Pacific Gas & Electric Company, Docket No. ER05-1190-000, Federal Energy Regulatory Commission, filed July 1, 2005.
(City Attorney)

5/2/2006, MOTION Continued to May 9, 2006..

Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

38. 060474 **[Appropriating $4,100,000 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E]**

Mayor

Ordinance appropriating $4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

(Fiscal impact.)

5/2/2006, CONTINUED. Continued to May 9, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 39 through 44

39. 060605 **[Supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006]**

Supervisor Ma

Resolution supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.

5/2/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 060606 **[Commending Northern California Public Broadcasting]**

Supervisor Ma

Resolution commending Northern California Public Broadcasting for its contributions to strengthen public broadcasting in the region.

5/2/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 060607 **[Skin Cancer Screening]**
Supervisor Mirkarimi
Resolution commending University of California San Francisco Department of Dermatology and the American Academy of Dermatology for sponsoring May 6, 2006 free skin cancer screening at the U.C.S.F. Mount Zion campus.

5/2/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 060608 **[Supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act"]**
Supervisor Sandoval
Resolution supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act."

5/2/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060609 **[Preserve Civic Center Hotel]**
Supervisor Daly
Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to seismically retrofit and preserve the Civic Center Hotel.

5/2/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 060580 **[Final Map for a 17 Unit Residential Condominium Project]**
Motion approving Final Map of 1277 Howard Street and 776 Tehama Street, A Residential Condominium Project, being a subdivision of Lot 76 in Assessor's Block No. 3729, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,951; District 6.)

4/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 25, 2006 through May 1, 2006, for reference by President to appropriate committee on May 9, 2006.

060557 **[Settlement of Lawsuit - Linda Nussbaum]**
Ordinance authorizing settlement of the lawsuit filed by Linda Nussbaum against the City and County of San Francisco for $170,000; the lawsuit was filed on January 7, 2004 in San Francisco Superior Court, Case No. 427-870; entitled Linda Nussbaum v. City and County of San Francisco, et al.
(City Attorney)

4/26/2006, RECEIVED AND ASSIGNED to Rules Committee.

060583 **[Annual Appropriation Ordinance for Selected Departments, as of May 1, 2006, Fiscal Year ending June 30, 2007]**
Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2006 for the fiscal year ending June 30, 2007.
(Mayor)

5/1/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060584 **[Proposed Annual Salary Ordinance for Selected Departments, Fiscal Year ending June 30, 2007]**
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco: Airport, Board of Appeals, Health Service System, MTA, PORT, PUC, Rent and Retirement Board printed April 24, 2006, for the Fiscal Year ending June 30, 2007.
(Mayor)

5/1/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060628 **[Board of Appeals Surcharges]**

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from $56 to $26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from $17 to $10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from $10 to $3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from $9 to $3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from $11 to $13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from $11 to $13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from $17 to $10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from $10 to $3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from $9 to $3; (c) imposing a Board of Appeals surcharge of $26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16; and (d) imposing a Board of Appeals surcharge of $109.00 for medical cannabis dispensary permits issued by the Department of Public Health pursuant to Health Code Section 3007, and for annual license renewals associated with such permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code Section 249.20; and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the surcharges imposed by this ordinance and the adjustments to existing surcharges made by this ordinance are not "projects" and that all such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals relating to the aforementioned permits and licenses pursuant to Charter Section 4,106 and other applicable laws.
(Mayor)

5/1/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor requests this item be calendared at the May 24, 2006 meeting.

5/2/06 - Referred to Planning for environmental review.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 25, 2006 through May 1, 2006, for reference by President to appropriate committee on May 9, 2006.

060564 **[Proposition J Contract/Certification of Specified Contracted-Out Services for Enterprise Departments Previously Approved]**

Resolution concurring with the Controller's certification previously approved under Proposition J that services can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee parking management, information booth, public parking management and shuttle bus services (Airport); paratransit and security services (MTA), citation information, janitorial and landscaping, coin counting and collection, security, and towing services (MTA Parking & Traffic); janitorial and security services (Port).
(Mayor)

5/1/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor requests this item be calendared at the May 24, 2006 meeting.

060565 **[Jurisdictional Transfer of Property]**

Resolution authorizing the jurisdictional transfer of City-owned property at 525 Golden Gate Avenue to the Public Utilities Commission in consideration of Nine Million Nine Hundred Thousand Dollars.
(Mayor)

5/1/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor requests this item be calendared at the May 24, 2006 meeting.

060635 **[Petitions and Communications]**

Petitions and Communications received from April 25, 2006 through May 1, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 9, 2006.

From Office of the Controller, submitting report concerning the financial review of SomArts Cultural Center for fiscal year 2001-02. (1)

From Municipal Transportation Agency, regarding pedestrian and traffic safety issues in the San Jose Avenue/Balboa Park area. (Reference No. 20060314-005) Copy: Supervisor Sandoval (2)

From Department of Building Inspection, submitting report on the status of the Unreinforced Masonry Building Program. (Reference No. 20060328-017) Copy: Supervisor Daly (3)

From Department of Public Works, regarding status of repairing potholes at various locations in District 5. (Reference No. 20060411-015) Copy: Supervisor Mirkarimi (4)

From Department of Public Works, regarding status of removing graffiti at various locations in District 5. (Reference No. 20060418-004) Copy: Supervisor Mirkarimi (5)

From concerned citizens, submitting support for closing JFK Drive in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, 3 letters (6)

From concerned citizens, submitting opposition to closing JFK Drive in Golden Gate Park to motor vehicles on Saturdays. File 060250, Copy: Each Supervisor, Approximately 21 letters (7)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Approximately 15 letters (8)

From Office of the Controller, submitting request from the Public Utilities Commission for reallocation of capital funds for fiscal year 2005-06. (9)

From Planning Department, submitting support for proposed ordinance that would reclassify the property at 1 Hawthorne Place (aka Howard Street), Lot 47 in Assessor's Block 3735, from a 150-S Height and Bulk District to a 250-S Height and Bulk District. Files 060479, 060480, Copy: Supervisors Maxwell, Sandoval, McGoldrick (10)

From Department of Public Health, submitting a quarterly report that shows Laguna Honda Hospital's progress to date on the reversal of the Admission Policy priorities that took place February 22, 2005. File 050396 (11)

From Public Library Commission, submitting resolution concerning the "California Reading/Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006" known as Proposition 81, on the upcoming June 2006 ballot as adopted by the Public Library Commission at its April 20, 2006 regular meeting. Copy: Each Supervisor (12)

From Shelter Monitoring Committee, submitting quarterly report on the Shelter Monitoring Committee. Copy: Rules Clerk (13)

From Department of Public Health, regarding the steps an operator must take to obtain a Health Department permit to operate a Medical Cannabis Dispensary. (Reference No. 20060314-004) Copy: Supervisor Sandoval (14)

From Housing Authority, regarding the general policies on providing housing for felons, former felons, registered sex offenders, etc. and it's policies on responding to inquiries in a timely manner.

(Reference No. 20060328-010) Copy: Supervisor Mirkarimi (15)

From West of Twin Peaks Central Council, submitting copy of letter sent to Chief of Police Heather Fong, urging her to allow the two officers under investigation for allegedly falsifying documents to return to their jobs during the investigation of the charges against them. (16)

From Frank Finelli, submitting request for transfer of a Type 48 On-Sale General Public Premises liquor license and a Type 47 On-Sale General Eating Place license (with a R65 Surrender status) for Inner Circle Entertainment IV, LLC, dba The Slide "ICIEIV" at 430 Mason Street. (17)

From the California Grocer's Association, submitting opposition to the proposed "Grocery Worker Retention" Ordinance. File 060395, Copy: Each Supervisor (18)

From Office of the District Attorney, submitting its Annual Report of Revenue Recovery for Damage to City Property as required by Administrative Code Section 4.26. (19)

From California Regional Water Quality Control Board, submitting notice that the S.F. Bay Regional Water Quality Control Board will consider amendments to the Water Quality Control Plan for the S.F. Bay Basin at a public hearing on June 14 and August 9, 2006 at the Elihu Harris State Building, Oakland, CA. (20)

From Office of the Controller, submitting a draft supplemental appropriation to implement the provisions of the Arts Task Force report that relates to funding arts from the Hotel Tax. (Reference No. 20060228-012) Copy: Supervisor Ma (21)

From Department of Public Works, reporting on the status of removing graffiti at various locations in District 5. (Reference No. 20060418-009) Copy: Supervisor Mirkarimi (22)

From concerned citizens, submitting support for the Film Rebate Program. 2 letters (23)

From Mike Zelinsky, concerning the huge pothole at 10th and Judah. (24)

From Department of the Environment, requesting clarification of their role regarding urban forestry items before the Board of Supervisors. Copy: Each Supervisor (25)

From concerned citizens, submitting opposition to proposed legislation prohibiting condominium conversion for a building where specified evictions occurred. File 060443, Copy: Each Supervisor, Approximately 31 letters (26)

From concerned citizens, submitting opposition to the current Redevelopment Plan for Bayview/Hunters Point. File 060343, Copy: Each Supervisor, 3 letters (27)

From Karen Pierce, submitting support for proposed legislation urging the Bay Area Regional Water Quality Control Board to issue a water discharge permit for the Potrero Power Plant that will protect the Bay and bring the Plant into compliance with the law. File 060500, Copy: Each Supervisor (28)

From Steve Elipoulos, submitting opposition to proposal to raise the minimum wage in San Francisco. File 060247, Copy: Each Supervisor (29)

From Norman Doyle, submitting opposition to legislation that would eliminate the felony conviction disclosure requirements for prospective City employees. (30)

From Ryan Fitzpatrick, urging the Board to urge the Municipal Transportation Commission to bring back the nexbus feature that is useful for tracking bus times. (31)

From concerned citizens, urging the Board of Supervisors to fund ten million dollars for the unmet needs of seniors and persons with disabilities. Approximately 25 letters (32)

From Michael Harkin, submitting support for renaming Bush Street in San Francisco. (33)

From Norman Doyle, urging the Board to use a portion of the windfall excess tax revenue to fix the streets in San Francisco. File 060246 (34)

From the Branch Library Improvement Program, submitting the "2000 Branch Library Improvement Bond Quarterly Report" for the Fourth Quarter of 2005 and the First Quarter of 2006. (35)

From Public Utilities Commission, regarding status of removing graffiti on utility poles at various locations in District 5. (Reference No. 20060418-015) Copy: Supervisor Mirkarimi (36)

From Nancy Waymack, Board of Education, submitting a revised expenditure plan for the Public Education Enrichment Fund dollars appropriated to the San Francisco Unified School District for School Year 2005-2006 and School Year 2006-2007. (37)

From Anne Cohen, commenting on the outpouring of tragedies in San Francisco due to reckless driving. (38)

From James Miller, commenting on last week's column by Ken Garica regarding closing JFK Drive in Golden Gate Park on Saturdays. File 060250, Copy: Each Supervisor (39)

From Kimo Crossman, commenting on proposed legislation regarding Municipal Wireless Fidelity (WiFi) alternatives. File 060471 (40)

From Art Rodriguez and Associates, submitting request for a Type 48-liquor license for "Kingman's Talk of the Town" Lounge at 591 Howard Street. (41)

From Lynne Carmichael, submitting request for a Type 21-liquor license for Bristol Farms Inc. located in the basement of the newly renovated San Francisco Centre at 845 Market Street. (42)

From Office of the Mayor, submitting request for release of reserved funds for overtime funding in the amount of $108,339 to the Department of Juvenile Probation and $419,225 in overtime funding to the Sheriff. Copy: Budget and Finance Committee (43)

From Human Services Commission, submitting notice that the Human Services Commission has approved the Human Services Agency's revised fiscal year 2005-06 savings projection for the Human Services Care Fund. (44)

From Department of Parking and Traffic, regarding the feasibility of installing additional stop signs at the intersection of 15th Avenue and Santiago Street. (Reference 20060307-006) Copy: Supervisor Elsbernd (45)

From Bennett Woll, commenting on the Hornblower Yachts plan to run the Alcatraz ferry service from Pier 31½. File 060426 (46)

From concerned citizens, submitting various comments concerning the proposed Bayview/Hunters Point Redevelopment Project. File 060343, 3 letters (47)

From SF District Corps of Engineers, submitting notice that the California Department of Fish and Game are soliciting comments from the public to consider and potentially modify the proposed Conservation Easement template. (48)

From SF District Corps of Engineers, submitting notice of request for permit to construct the Shiloh Oaks Company Federal Express Facility Project, located on an 8.5-acre site at the end of Caletti Avenue, Windsor, Sonoma County. (49)

From Office of the Mayor, pursuant to Charter Section 3.100, submitting notice that Supervisor Elsbernd will be Acting Mayor from 12:20 pm on May 1 until 11:59 pm on May 2, 2006; Supervisor Peskin will be Acting Mayor from 12:00 am on May 3 until 11:59 pm on May 3, 2006; and lastly, Supervisor Elsbernd will be Acting Mayor from 12:00 am until 5:45 pm on May 4, 2006. In the event of any delay, Supervisor Elsbernd will continue to be Acting Mayor. Copy: Each Supervisor (50)

APPOINTMENTS BY THE MAYOR
Airport Commission
Linda Crayton

Health Commission
Ed Chow

Film Commission
Melanie Blum

Library Commission
Charles Higueres
Jewelle Gomez
Steve Coulter
Lee Munson

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 4, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Administrative Code by expanding the definitions of "economically disadvantaged individuals" and "entry level position.	060595	Rules Committee	Supervisor Mirkarimi	5/2/06	6/1/06
Ordinance amending the Planning Code to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District.	060533	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.	060534	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District	060537	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Planning Code by amending Sheet 2 of the Zoning Map to change the use designation of Block 1177/Lot 001 and Block 1178/Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).	060538	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company managers.	060539	City Operations and Neighborhood Services Committee	Supervisor Elsbernd	4/25/06	5/25/06
Ordinance amending Planing Code in connection with the Transbay Redevelopment Plan.	050182	Land Use and Economic Development Committee	Mayor, Supervisor Daly	4/18/06	5/18/06
Ordinance amending Planning Code (Zoning Map) in connection with the Transbay Redevelopment Plan	050183	Land Use and Economic Development Committee	Mayor, Supervisor Daly	4/18/06	5/18/06
Ordinance amending Zoning Map, to change the height and bulk district classification from 150-S to 250-S for property located in southeast corner of Howard and Hawthorne Streets, Block 3735, Lot 047.	060479	Land Use and Economic Development Committee	Supervisor Daly	4/11/06	5/11/06

Ordinance amending the General Plan to change the height and bulk district classification of the property located in the southeast corner of Howard and Hawthorne Streets, Block 3735, Lot 047.	060480	Land Use and Economic Development Committee	Supervisor Daly	4/11/06	5/11/06
Ordinance amending the Planning Code to designate formula retail use as a conditional use in the Western SoMa Planning Area Special Use District.	060482	Land Use and Economic Development Committee	Supervisor Daly	4/11/06	5/11/06
Ordinance amending Planning Code to establish the Western SoMa Planning Area Special Use District in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east.	060483	Land Use and Economic Development Committee	Supervisor Daly	411/06	5/11/06

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice Transmitted 05-05-06

A public hearing will be held on 05/16/06 at 4 PM, or as soon as possible after that time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

060550 Public Hearing - Appeal of Final Environmental Impact Report for Sunol/Niles Dam Removal Project at Alameda County

Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2001.1149E, through its Motion 17217, for a proposed Sunol/Niles Dam Removal Project, located in unincorporated S.F.Public Utilities Commission property, Alameda County, at the Niles Canyon Reach of Alameda Creek at River Mile 16.2 (Sunol Dam) and River Mile 12.8 (Niles Dam). (Appellant: Audrey A. Beaman, Deputy County Counsel, County of Alameda, California.)

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 16, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for April 11, 2006 and April 18, 2006 and Special Board of Supervisors Meeting of the Budget and Finance Committee and April 12, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

1. 060476 **[Cash Revolving Funds - Commission on the Environment]**
Mayor
Ordinance amending the Administrative Code by deleting Section 10.169-12.

5/9/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

2. 060203 [Tunnel Avenue Weight Restrictions]

Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue.
(Parking and Traffic Department)

5/9/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Dufty, Ma

3. 060162 [Amending the Traffic Code to establish a single consolidated list of weight-restricted streets]

Supervisor Maxwell

Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166 through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street to the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements.
(Parking and Traffic Department)

5/9/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

4. 060593 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco]

Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

5/9/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Dufty

5. 060354 **[Approving General Plan amendments to South Bayshore Area Plan]**
Supervisor Maxwell
Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

5/9/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

6. **060393** **[Prohibiting Smoking on Golf Courses]**
Supervisors McGoldrick, Ammiano
Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.
(Fiscal impact.)
(Supervisors Peskin and Elsbernd dissented in Committee.)

4/4/2006, REFERRED to Budget and Finance Committee.
5/2/2006, CONTINUED. Continued to May 9, 2006.
5/9/2006, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

7. **060474** **[Appropriating $3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E]**
Mayor
Ordinance appropriating $3,187,130 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

5/2/2006, CONTINUED. Continued to May 9, 2006.
5/9/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
5/9/2006, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Dufty, Ma

8. 060013 **[Amending the Police Code to allow pawnbrokers to operate on Mondays following a holiday]**
Supervisor Ma
Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Mondays following a holiday, and to make clerical corrections.

4/25/2006, CONTINUED. Continued to May 9, 2006

5/9/2006, PASSED ON FIRST READING. Question allowing pawnbrokers to operate on Sundays was divided and considered separately under File No. 060672.

Question: Shall this Ordinance be FINALLY PASSED?

9. 060672 **[Amending the Police Code to allow pawnbrokers to operate on Sundays]**
Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and to make clerical corrections.

5/9/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 060443 **[Prohibition on condominium conversion for buildings where specified evictions occurred]**
Supervisors Peskin, Ammiano, Daly, Maxwell
Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

5/2/2006, CONTINUED. Continued to May 9, 2006.

5/9/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Mirkarimi was previously excused from voting on this matter.

Supervisors Ammiano, Daly and Maxwell requested to be added as co-sponsors.

5/9/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

11. 060334 **[Child Care Services Contract Approval - Children's Council of San Francisco]**
Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2006 to June 30, 2012, in the amount of $269,624,515.
(Human Services Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

12. 060566 **[Eliminating the Trial Courts Cash Revolving Fund]**
Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund.
(Controller)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

13. 051519 **[Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program] Mayor**
Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

14. 060224 **[Requirement to provide minimum information for environmental evaluation application and initial study]**

Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

15. **060559** **[Public Hearing - May 9, 2006 Amendments Redevelopment Plan - Bayview Hunters Point Redevelopment Project]**

Hearing to consider amendments to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area presented by the Redevelopment Agency at the May 9, 2006 Board of Supervisors meeting.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

16. **060343** **[Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]**
Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.)

(4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

5/9/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

5/9/2006, CONTINUED AS AMENDED. Continued as amended to May 16, 2006

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending Approval of File No. 060661)

17. 060638 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

18. 060637 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

19. 060550 [Public Hearing - Appeal of Final Environmental Impact Report for Sunol/Niles Dam Removal Project at Alameda County]

Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2001.1149E, through its Motion 17217, for a proposed Sunol/Niles Dam Removal Project, located in unincorporated S.F.Public Utilities Commission property, Alameda County, at the Niles Canyon Reach of Alameda Creek at River Mile 16.2 (Sunol Dam) and River Mile 12.8 (Niles Dam). (Appellant: Audrey A. Beaman, Deputy County Counsel, County of Alameda, California.)
(Date Filed: 4/26/06; companion measure to Files 060551, 060552, 060553.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 060551 [Affirm certification of Sunol/Niles Dam Removal Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Sunol/Niles Dam Removal Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. 060552 **[Disapprove certification of Sunol/Niles Dam Removal Project FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Sunol/Niles Dam Removal Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

22. 060553 **[Preparation of findings to disapprove certification of Sunol/Niles Dam Removal Project FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Sunol/Niles Dam Removal FEIR.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

24. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

25. 060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**
Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, CONTINUED. Continued to March 28, 2006
3/28/2006, CONTINUED. Continued to April 11, 2006
4/11/2006, CONTINUED. Continued to April 18, 2006
4/18/2006, CONTINUED. Continued to May 2, 2006
5/2/2006, CONTINUED. Continued to May 16, 2006
Question: Shall this Motion be APPROVED?

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 26 through 37

26. 060661 [Emergency Disadvantaged Business Enterprise Program - May 16, 2006, Committee of the Whole]

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on May 16, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

27. 060655 [Committee of the Whole-May 23, 2006 - 3:30 p.m. Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]

Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on May 23, 2006, at 3:30 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

28. 060656 [Urging the San Francisco Unified School District Board meetings be televised on SFGTV Channel 26]

Supervisors Ammiano, Alioto-Pier

Resolution urging the San Francisco Unified School District (SFUSD), the San Francisco Board of Supervisors, DTIS and the Mayor's Office collaborate to finalize a plan and the funding necessary to televise the SFUSD Board Meetings on SFGTV Channel 26.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 060657 **[Reauthorization of the Ryan White Care Act]**

Supervisors Ammiano, Dufty

Resolution affirming that the San Francisco Board of Supervisors endorses "The Consolidated Statement on Key Principles for Reauthorization of the Ryan White CARE Act as proposed by Health and Human Services (HHS)."

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 060658 **[Authorizing Application for BEGIN Funds]**

Supervisors Daly, Maxwell

Resolution authorizing the submittal of applications to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of one or more standard agreements if selected for such funding and any amendments thereto; the execution of one or more designation agreements if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 060659 **[Commending Marty Pulvers]**

Supervisor Elsbernd

Resolution commending Marty Pulvers on his contribution to the small business community of the City and County of San Francisco.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060662 **[Declaring May 2006 Foster Care Month]**

Supervisor Maxwell

Resolution declaring May 2006 Foster Care Month and urges all community members to volunteer their talents and energies to honor children and youth in foster care and foster care alumni during this month and throughout the year.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 060663 **[Commending Seamus Heaney]**

Supervisor McGoldrick

Resolution commending Seamus Heaney and declaring May 15, 2006 "Seamus Heaney Day" in San Francisco.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 060664 [Urging the FDA to document their press release stating marijuana has no medical use]

Supervisor Mirkarimi

Resolution urging the Food and Drug Administration to fully explain and support with scientific facts the agency's April 20, 2006 press release, which stated "no sound scientific studies supported medical use of marijuana for treatment in the United States, and no animal or human data supported the safety or efficacy of marijuana for general medical use."

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 060665 [Designating Japantown as a Preserve America Neighborhood]

Supervisor Mirkarimi

Resolution supporting the application for the designation of San Francisco's Japantown as a Preserve America Neighborhood.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 060666 [Urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company]

Supervisor Mirkarimi

Resolution urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 060660 [Call from Committee-Child Product Safety, File Number 060107]

Motion to Call File Number 060107, Child Product Safety, from the City Operations and Neighborhood Services Committee and setting a Committee of the Whole for May 23, 2006 at 4:00 PM.

5/9/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 3, 2006 through May 9, 2006, for reference by President to appropriate committee on May 16, 2006.

060611 **[Settlement of Lawsuit - ARCO et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against PS Trading for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

5/4/2006, RECEIVED AND ASSIGNED to Rules Committee

PROPOSED RESOLUTIONS

Proposed resolutions received from May 3, 2006 through May 9, 2006, for reference by President to appropriate committee on May 16, 2006.

060615 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
South Van Ness Avenue, east side, from 92 to 122 feet south of Market Street.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, south side, from Grant Avenue to 130 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Ellsworth Street, both sides, between 70 and 100 feet south of the south property line of 755 Ellsworth Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
Sanchez Street, east side, from 17th Street to 91 feet northerly.

2-HOUR TIME-LIMIT, 7 AM TO 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH
Kansas Street, both sides, between 15th and 16th Streets (200 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Oak Street, south side, from Octavia Boulevard to 56 feet westerly (existing conditions).

RED (NO PARKING ANYTIME) ZONES - ESTABLISH
Hampshire Street, west side, from 26th Street to 15 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2718 Bryant Street, west side, between the driveways for #2718 - 2722 and 2724 - 2726 Bryant Street, (12-foot section of curb between the driveways for these addresses, accommodating two motorcycle parking spaces).

NO PARKING ANYTIME - EXTEND
Ocean Avenue, south side, from 100 feet to 142 feet west of San Leandro Way (extends the "No Parking Anytime" regulation by 42 feet, eliminating parking meter # 591-24130).
(Parking and Traffic Department)
(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060616 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Park Hill at Roosevelt Way, stopping Park Hill;
Laguna and Waller Streets, stopping Waller Street;
Second Street extension at King Street, stopping the northbound leg of Second Street at King Street;
26th and Hampshire Streets, stopping eastbound 26th Street, making this intersection a one-way STOP;
McKinnon Avenue and Lane Street, stopping eastbound McKinnon Avenue and northbound and southbound Lane Street, making this intersection an All-Way STOP;
22nd and Mississippi Streets, stopping southbound Mississippi Street; and,
19th and Pennsylvania Streets, stopping Pennsylvania at 19th Street, making this an All-Way STOP.
(Parking and Traffic Department)
(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060617 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (WESTBOUND) - ESTABLISH
Cleveland Street, between Sherman and 7th Streets

NO LEFT TURN OR NO U-TURNS - ESTABLISH
Cesar Chavez Street, westbound traffic at South Van Ness Avenue

ONE-WAY STREET (NORTHBOUND) - ESTABLISH
Ellsworth Street, from Crescent Avenue to a point approximately 890 feet southerly (extends the existing one-way regulation by 160 feet southerly)

STREET CLOSURE EXCEPT DURING SCHOOL SUMMER RECESS - ESTABLISH
Sherman Street, from Cleveland Street to 100 feet north of Harrison Street (250 feet).
(City Attorney)
(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060618 **[Official Advertising - Type 1 consecutive day official advertising]**
Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2006 and ending June 30, 2007.
(Purchaser)

5/5/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060619 **[Official Advertising - Type 2 non-consecutive day official advertising]**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2006 and ending June 30, 2007.
(Purchaser)

5/5/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060626 **[Outreach Advertising - Outreach newspapers]**

Resolution designating El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African
American community; and, the San Francisco Bay Times to be the outreach newspaper of the City and County of San Francisco for the Lesbian Gay Bisexual Transgender community, to provide outreach advertising services for the fiscal year commencing July 1, 2006 and ending June 30, 2007.

5/5/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060667 **[Petitions and Communications]**

Petitions and Communications received from May 2, 2006 through May 8, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 16, 2006.

From Department of Public Health, submitting Grant Budget Revision for HMM012-05 Cultural Competency Training. (1)

From Department of the Environment, submitting report listing options for maximizing the City's purchases of Organic or Fair Trade-Certified products. File No. 051268. (2)

From Office of the Controller, submitting report concerning its audit of HomeBase, The Center for Common Concerns and its compliance with the City's ordinance prohibiting the use of city funds for political activity. (3)

From Office of the Controller, submitting report concerning its audit of RISE Institute and its compliance with the City's ordinance prohibiting the use of city funds for political activity. (4)

From Department of Public Health, Environmental Health Section, submitting hazardous waste release disclosure form. (5)

From concerned citizens, submitting support for Proposed ten-year capital expenditure plan for Fiscal Year 2007-2016 to fund critical infrastructure needs throughout the City. File No. 060585, Approximately 51 letters. (6)

From Janette Biagini Barroca, submitting petition for landmark status for the interior and exterior of St. Brigid Church. File No. 051772, Copy: Each Supervisor (7)

From Office of the City Attorney, submitting revised Transbay Terminal Project Option Agreement. Copy: Each Supervisor (8)

From Economic and Workforce Development submitting request for hearing in the Budget & Finance Committee regarding release of reserves to fund violence prevention programs. File No. 060412, Copy: Supervisor Daly (9)

From Office of the Controller, submitting FY 2005-06 Nine-Month Budget Status Report. Copy: Each Supervisor (10)

From San Francisco Redevelopment Agency, submitting revised Bayview Hunters Point Redevelopment Plan. File No. 060343 (11)

From Office of the Controller, submitting response to Moss-Adams report on Primary Clinic Revenue Maximization and report on Revenue Maximization Opportunities in the City's Department of Public Health Primary Care Clinics. Copy: Each Supervisor (12)

From Municipal Transportation Agency, submitting Overtime Justification Report. Copy: Each Supervisor (13)

From Department of Public Works, submitting request for Release of Reserve for Chinatown Alleyway Improvements: Phase 4, Jack Kerouac Alley. File No. 060614, Copy: Budget and Finance Committee Members. (14)

From Supervisor Daly, submitting support for Betty Robinson-Harris for a seat on the San Francisco Children and Families (First Five) Commission. Copy: Rules Committee Members. (15)

From Office of the Treasurer & Tax Collector, submitting Bureau of Delinquent Revenue Quarterly

Report. (16)

From Comcast, submitting Equipment and Installation Price Adjustment effective June 1, 2006. (17)

From Office of the City Administrator, submitting proposed ten-year capital expenditure plan. Copy: Each Supervisor and Budget Analyst. File No. 060585 (18)

From Election Commission, submitting current Elections Commission Bylaws. (19)

From Law Offices of Stephen M. Williams, submitting Appeal of Categorical Exemption from Environmental review for 1 Belgrave Street. (20)

From San Francisco Association of Realtors, submitting opposition to proposed ordinance to prohibit condominium conversion for a building where specified evictions occurred. File No. 060443, Copy: Each Supervisor (21)

From San Francisco Public Utilities Commission, submitting request for release of reserved funds for six SFPUC positions. (22)

From Office of the City Attorney, submitting response for Appeal of Determination of Exemption from Environmental Review for 1 Belgrave. (23)

From Department of Public Works, regarding status of graffiti removal at various locations in District 5. (Reference Nos. 20060418-005, 20060418-009, 20060404-006, 20060228-006, 20060502-009, 20060314-010, 20060411-006, 20060328-002, 20060418-007, 20060418-012, 20060214-006, 20060418-014, 20060502-002, and 20060418-007. Copy: Supervisor Mirkarimi (24)

From Department of Parking and Traffic, regarding status of graffiti removal at various locations in District 5. (Reference Nos. 20060321-006 and 20060404-003), Copy: Supervisor Mirkarimi (25)

From Department of Public Works, regarding status of repairing potholes at various locations in District 5. Copy: Supervisor Mirkarimi (26)

From San Francisco Public Utilities Commission, regarding graffiti removal and repair of street lights at various locations in District 5. Copy: Supervisor Mirkarimi (27)

From Police Department, responding to inquiry regarding staffing levels at the Taraval Police Station. Reference No. 20060328-015, Copy: Supervisor Sandoval (28)

From concerned citizens, submitting support for the closure of Golden Gate Park to traffic on Saturdays. File No. 060250, Copy: Each Supervisor, Approximately 5 letters. (29)

From concerned citizens, submitting opposition for the closure of Golden Gate Park to traffic on Saturdays. File No. 060250, Copy: Each Supervisor, Approximately 9 letters. (30)

From concerned citizens, submitting opposition to the recently passed resolution which urged Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File No. 060356, 2 letters received. (31)

From Michael Langley, expressing opinions regarding fines for traffic violations. Copy: Each Supervisor. (32)

From John Micklewright, seeking assistance from the Board of Supervisors regarding the current system of Hotel Tax collection. Copy: Each Supervisor (33)

From Robert Planthold, expressing concerns with the City's compliance with the American with Disabilities Act. Copy: Each Supervisor (34)

From Board of Appeals, submitting response to Board inquiry regarding Building Permit Application No. 200312021446. Copy: Supervisor Mirkarimi, (Reference No. 20060307-003). (35)

From Rent Stabilization Board, submitting response to inquiry regarding how the Rent Board has interpreted Ordinance #66-05, which dealt with the requirement placed upon a landlord to provide additional keys/key sets within 14 days of receiving written request. Copy: Supervisor Daly (36)

From City Planning, submitting response to Supervisor Mirkarimi's inquiry. (Reference No. 20060307-002) (37)

From Department of Public Works, submitting response to inquiry regarding the feasibility of installing a JC Decaux toilet in Crocker-Amazon Playground. (Reference No. 20060314-002), Copy: Supervisor Sandoval (38)

From Kjell Hallstrom, expressing support for BART to run later hours. (39)

From Susan Tuohy, submitting support for the NERT training program. (40)

From Ahimsa Sumchai, submitting a copy of appeal to the Office of the United Nations High Commission for Human Rights urging an investigation into the violations of the 1503 Procedures of the Commission on Human Rights and Procedures under the International Convention on the Elimination of Racial Discrimination documented in the Bayview Hunters Point Redevelopment Project. File No. 060343, Copy: Each Supervisor. (41)

From William Colucci, submitting support for recently passed legislation which appropriating $15,000,000 to support street resurfacing projects for DPH. File No. 060246, Approximately 6 letters. (42)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 11, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Campaign and Governmental Code to clarify filing of a declaration of intention to become a candidate	060644	Rules Committee	Supervisor Peskin	5/9/06	6/8/06
Ordinance amending SF Planning Code to change designation of 11c from a one family to a moderate scale neighborhood commercial district	060640	Land Use & Economic Development Committee	Supervisor Sandoval	5/9/06	6/8/06
Ordinance amending Administrative Code by expanding the definitions of "economically disadvantaged individuals" and "entry level position.	060595	Rules Committee	Supervisor Mirkarimi	5/2/06	6/1/06
Ordinance amending the Planning Code to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District.	060533	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct	060534	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06

Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.					
Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District.	060537	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Planning Code by amending Sheet 2 of the Zoning Map to change the use designation of Block 1177/Lot 001 and Block 1178/Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).	060538	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company managers.	060539	City Operations and Neighborhood Services Committee	Supervisor Elsbernd	4/25/06	5/25/06
Ordinance amending Planing Code in connection with the Transbay Redevelopment Plan.	050182	Land Use and Economic Development Committee	Mayor, Supervisor Daly	4/18/06	5/18/06
Ordinance amending Planning Code (Zoning Map) in connection with the Transbay Redevelopment Plan	050183	Land Use and Economic Development Committee	Mayor, Supervisor Daly	4/18/06	5/18/06

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

General Notice

Transmitted: 05-11-2006

A public hearing will be held on 5/23/2006, at 4:00 PM, or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102

060490 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2477-2479 Sutter Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 6, 2006 (Case No. 2005.0402E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15331], the proposed project at 2477-2479 Sutter Street. The proposal would convert an existing two-unit residential structure with ground-floor retail into a three-unit structure with three parking spaces by adding a 2,590-square foot horizontal and vertical addition and converting the retail space into a garage.

The project site is located at 2477-2479 Sutter Street (Assessor's Block 1076, Lot 022). The project is within the RM-1 (Mixed, Low Density) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams.)

Gloria L. Young, Clerk of the Board

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice — Transmitted 05-11-06

A public hearing will be held 05/23/06 at 4:30 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

060570 Public Hearing - Appeal of Categorical Exemption from Environmental Review for 828 Francisco Street Project, Planning Case No. 2005.0493E

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 6, 2006, exempting from environmental review under Categorical Exemption: State CEQA Guidelines, Section(s) 15301(e)(1), the proposed project involving alterations to an existing, three-story-over basement, 6,923-square foot residence. The proposed alterations would: 1) add a dormer window on the eastern portion of the front façade (south side) at the third floor (attic level); 2) raise the height of, and enlarge, the existing dormer at the rear of the property (north side), so as to be habitable space as defined by the Building Code; 3) add new stairs from the existing first-story deck to the back yard; 4) add penetrations to the existing wall to add two new windows at the second story at the rear; 5) add four new penetrations for four new windows and close up an existing window on the east façade; and 6) add three new penetrations for three new windows and close up three existing windows on the west façade. As considered by the Planning Department, the proposed alterations constitute alteration, façade alterations and horizontal extensions at the front, side and rear of the structure. The project would also resurface the roof at the second floor northeast corner for use as a deck and re-roof the existing asbestos shingle roof.

The proposed addition and construction would be minor additions to the existing building envelope. They would result in no net change in the square footage of the existing structure, as measured by the Planning Code. The approximately 18,734-square foot project site is located at 828 Francisco Street (Assessor's Block 0045, Lot 003), about 40 feet west of Leavenworth Street, in the block bounded by Leavenworth, Francisco, Hyde and Bay Streets, in the City's Russian Hill Neighborhood. The site has an approximately 136.5-foot lot dimension on Francisco Street, the only street frontage. The site is within an RH-1 (D) Residential, One-Family (Detached Dwellings) Use District and a 40-X Height and Bulk District. (Appellant: Angela Schroeder).

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY 19 2006

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05-19-07A09:11 RCVD

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 23, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

1. 060566 **[Eliminating the Trial Courts Cash Revolving Fund]**
Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund.
(Controller)

5/16/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Eslbernd

2. **060497** **[Accept-Expend Bequest of Harvey V. Berneking Living Trust]**
Supervisor Elsbernd
Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of up to $500,000 from the Harvey V. Berneking Living Trust for public service improvements at the Main Library.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

3. **051519** **[Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program]**
Mayor
Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.
(Fiscal impact.)

5/16/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

4. **060499** **[Stop signs - Chenery Street at Fairmount Street]**
Supervisor Dufty
Resolution designating the intersection of Chenery Street at Fairmount Street as a "STOP" intersection.
(4/24/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

5. 060540 **[STOP Intersections]**
Supervisor Dufty
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
Elizabeth and Noe Streets, stopping Noe Street at Elizabeth Street, making this intersection an All-Way STOP.
(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

6. 060541 **[Parking Regulations]**
Supervisor Dufty
Resolution enacting and rescinding parking regulations at various locations.

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 10 AM, DAILY – ESTABLISH
"297" Duncan Street, south side, from 18 feet to 57 feet, east of Church Street (39-foot zone)

GREEN ZONE (10 MINUTE TIME LIMIT), 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – RESCIND
GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 7 PM, DAILY – ESTABLISH
"299" Duncan Street, south side, from Church Street to 18 feet easterly (18-foot zone)
(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

7. 060604 **[Accept-Expend State Grant - Municipal Transportation/Department of Public Works]**
Supervisor Dufty
Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Act (TDA) Article 3 funds totaling $907,651 for FY 2006-07 for various pedestrian and bicycle projects in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

8. 060224 [Requirement to provide minimum information for environmental evaluation application and initial study]

Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

5/16/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 060407 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Bonnie D'Amico, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Bonnie D'Amico, succeeding Frank McGrath, resigned, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Question: Shall this Resolution be ADOPTED?

10. 060636 [Appointment - Power Plant Task Force]

Resolution appointing Philip De Andrade, Karen Pierce, Richard Millet, L. Joseph Boss, Steven Moss, and Al Collins, terms ending November 1, 2006, to the Power Plant Task Force.

Philip De Andrade, succeeding himself, term expired, seat 1, must be a resident of the Mission Bay area, for the unexpired portion of a one-year term ending November 1, 2006.
Karen Pierce, succeeding herself, term expired, seat 2, must be a resident of the Bayview Hunters Point area, for the unexpired portion of a one-year term ending November 1, 2006.
Richard Millet, succeeding himself, term expired, seat 3, must be a resident of the Potrero Hill area, for the unexpired portion of a one-year term ending November 1, 2006.
L. Joseph Boss, succeeding himself, term expired, seat 4, must be a resident of the Central Waterfront area, for the unexpired portion of a one-year term ending November 1, 2006.
Steven Moss, succeeding himself, term expired, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006.
Al Collins, succeeding Dana Lanza, term expired, seat 9, must be the executive director of Literacy for Environmental Justice or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto
Consideration to override veto pursuant to Charter Section 2.106 Ordinance closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Weekend 2006.

11. 060250 **[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006]**

Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on May 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before June 14, 2006.

4/25/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/25/2006, PASSED ON FIRST READING AS AMENDED.

5/2/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Amendment of the Whole

5/2/2006, PASSED ON FIRST READING AS AMENDED.

5/9/2006, FINALLY PASSED.

Action:_____

From the Board

12. 060343 **[Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]**
Supervisor Maxwell
Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.
(Fiscal impact.)
(4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

5/9/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
5/9/2006, CONTINUED AS AMENDED. Continued as amended to May 16, 2006
5/16/2006, AMENDED. Amended to insert a New Section: "to require performance audits to be done no less frequently than every three years."
5/16/2006, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

13. 060684 **[Adopting findings related to the Bayview Hunters Point Redevelopment Plan]**
Supervisor Maxwell
Motion adopting findings in response to written objections to adoption of the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Plan, pursuant to the requirements of redevelopment law.

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Maxwell

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060475.

14. 060475 **[Public Employment - Mayor's Office of Economic and Workforce Development]**
Mayor
Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

15. 060495 **[Grant of Federal Funds - Municipal Transportation Authority]**
Supervisor Ma
Resolution authorizing the Municipal Transportation Agency to accept and expend $2,851,800 of Transit Security Grant Program funds to create a sustainable effort for the protection of regional transit systems critical infrastructure from terrorism, excluding administrative overhead costs.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

16. 060708 **[Paratransit Reimbursement - Taxi Meter Rates]**
Supervisor Alioto-Pier
Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to June 30, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

17. 060479 [Zoning Map Amendment, 645 Howard Street]
Supervisor Daly
Ordinance amending Zoning Map Sheet IH of the City and County of San Francisco for property located at Block 3735, Lot 047, to change the height and bulk district classification from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 060480 [General Plan Amendment, 645 Howard Street]
Supervisor Daly
Ordinance amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan of the General Plan of the City and County of San Francisco to change the height and bulk district classification of the property located at Block 3735, Lot 047 from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Priority Policies of Planning Code Section 101.1.

Present: Supervisors Maxwell, Sandoval, McGoldrick
Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 060142 [Public Works Code – sidewalk landscape permits]
Mayor, Supervisor Alioto-Pier
Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]
Supervisor Peskin
Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

9/27/2005, RE-REFERRED to Land Use Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Select Committee on Ending Gun and Gang Violence

Present: Supervisors Maxwell, Mirkarimi, Ammiano

21. 060086 **[Providing for public notice of installation of community safety cameras]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

22. 060386 **[55-year Seismic Safety Retrofit Loan Program Loans]**
Supervisors Dufty, Mirkarimi, Ammiano
Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

23. 060651 **[Hearing - Interim zoning moratorium for three months on new check cashing and payday lender uses]**

Hearing to consider the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.
(Clerk of the Board)

Action:_____

24. 060641 **[Zoning -Three-Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**

Supervisor Ammiano

Urgency Ordinance approving a three-month extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

CALLED FROM COMMITTEE

25. 060652 **[Hearing - Child Product Safety]**
Hearing to consider the possible adoption of an Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.
(Clerk of the Board)

Action:_____

26. 060107 **[Child product safety]**
Supervisors Ma, Maxwell, Alioto-Pier
Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

5/9/2006, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from City Operations & Neighborhood Services Committee

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

27. 060490 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2477-2479 Sutter Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 6, 2006 (Case No. 2005.0402E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15331], the proposed project at 2477-2479 Sutter Street. The proposal would convert an existing two-unit residential structure with ground-floor retail into a three-unit structure with three parking spaces by adding a 2,590-square foot horizontal and vertical addition and converting the retail space into a garage.

The project site is located at 2477-2479 Sutter Street (Assessor's Block 1076, Lot 022), The project is within the RM-1 (Mixed, Low Density) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams.)

(Companion measure to Files 060491, 060492, 060493; District 5.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. 060491 [Affirming the categorical exemption issued for the 2477-2479 Sutter Street project]

Motion affirming the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 060492 [Disapproving the categorical exemption issued for 2477-2479 Sutter Street]

Motion disapproving the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. 060493 [Preparation of findings related to the 2477-2479 Sutter Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2477-2479 Sutter Street is exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

31. 060570 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 828 Francisco Street, Planning Case No. 2005.0493E]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 6, 2006, exempting from environmental review under Categorical Exemption: State CEQA Guidelines, Section(s) 15301(e)(1), the proposed project involving alterations to an existing, three-story-over basement, 6,923-square foot residence. The proposed alterations would: 1) add a dormer window on the eastern portion of the front façade (south side) at the third floor (attic level); 2) raise the height of, and enlarge, the existing dormer at the rear of the property (north side), so as to be habitable space as defined by the Building Code; 3) add new stairs from the existing first-story deck to the back yard; 4) add penetrations to the existing wall to add new windows at the second story at the rear; 5) add four new penetrations for four new windows and close up an existing window on the east façade; and 6) add three new penetrations for three new windows and close up three existing windows on the west façade. As considered by the Planning Department, the proposed alterations constitute alteration, façade alterations and horizontal extensions at the front, side and rear of the structure. The project would also resurface the roof at the second floor northeast corner for use as a deck and re-roof the existing asbestos shingle roof.

The proposed addition and construction would be minor additions to the existing building envelope. They would result in no net change in the square footage of the existing structure, as measured by the Planning Code. The approximately 18,734-square foot project site is located at 828 Francisco Street (Assessor's Block 0045, Lot 003), about 40 feet west of Leavenworth Street, in the block bounded by Leavenworth, Francisco, Hyde and Bay Streets, in the City's Russian Hill Neighborhood. The site has an approximately 136.5-foot lot dimension on Francisco Street, the only street frontage. The site is within an RH-1 (D) Residential, One-Family (Detached Dwellings) Use District and a 40-X Height and Bulk District. (Appellant: Angela Schroeder).

(Filed April 19, 2006; Companion measure to Files 060570, 060571, 060572, 060573; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

32. 060571 **[Affirming the categorical exemption issued for the project at 828 Francisco Street]**

Motion affirming the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. 060572 **[Disapproving the categorical exemption issued for the project at 828 Francisco Street]**
Motion disapproving the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

34. 060573 **[Preparation of findings related to the project at 828 Francisco Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 828 Francisco Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

35. 060560 **[Public Hearing - Appeal of Final Environmental Review for 3575 Geary Boulevard Project, Planning File No. 2003.0410E]**
Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0410E, through its Motion 17218, the proposed project located at 3575 Geary Boulevard, Assessor's Block 1083, Lot 2, and Assessor's Block 1084, Lot 4. (Appellant: Brian Gaffney, Law Offices of Brian Gaffney).
(Filed April 26, 2006; companion measure to Files 060561, 060562, 060563; District 1.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

36. 060561 **[Affirm certification of 3575 Geary Boulevard Project FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

37. 060562 **[Disapprove certification of 3575 Geary Boulevard Project FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 3575 Geary Boulevard Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 060563 **[Preparation of findings to disapprove certification of 3575 Geary Boulevard Project FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project FEIR
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:30 P.M.

39. 060620 **[Public Hearing - Conditional Use Appeal for 3575 Geary Boulevard Project, Planning File No. 2003.0410CEK!]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17219 dated April 6, 2006, approving Conditional Use Application No. 2003.0410CEK!. The approval relates to a conditional use authorization under Planning Code Sections 121.1 and 712.11 to allow lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152).

The site is currently occupied by the now closed single-screen Coronet Theater in an NC-3 (Moderate-scale Neighborhood Commercial) District, and an 80-A Height and Bulk District, located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084. (Appellant: Libby Benedict, on behalf of Jordan Park Improvement Association and Francisco Heights Neighborhood Association).
(Filed May 4, 2006; companion measure to Files 060621, 060622, 060623; District 1.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

40. 060621 **[Approving Planning Commission decision related to Conditional Use Appeal for 3575 Geary Boulevard]**
Motion approving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

41. **060622** **[Disapproving Planning Commission decision related to Conditional Use Appeal for 3575 Geary Boulevard]**

Motion disapproving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. **060623** **[Preparation of findings related to the Conditional Use Appeal for 3575 Geary Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, May 18, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 23, 2006.

43. **060649** **[Motion setting special off site meeting of the Select Committee on Ending Gun & Gang Violence]**

Supervisors Maxwell, Mirkarimi

Motion scheduling an off-site meeting of the Select Committee on Ending Gun & Gang Violence on Wednesday, June 7, 2006, 6:00 p.m., at the Ella Hill Hutch Community Center, 1050 McAllister Street, for the purpose of conducting a joint meeting session with San Francisco Police Commission in receiving community input regarding gun & gang violence in the City of San Francisco.

Question: Shall this Motion be APPROVED?

44. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

45. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 46 through 49

46. 060685 **[Declaring May 16, 2006 Lonnie Butler Day]**
Supervisor Maxwell
Resolution declaring that Lonnie Butler is an honorary citizen and that May 16, 2006 is Lonnie Butler Day in the City and County of San Francisco.

5/16/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 060686 **[Public Works Week - May 22 - 26, 2006]**
Supervisors Peskin, Dufty
Resolution proclaiming May 22 through May 26, 2006 as Public Works Week in San Francisco.

5/16/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060687 **[Supporting Proposition 82, the Preschool for All Initiative]**
Supervisor Peskin
Resolution expressing support for California State Proposition 82, the Preschool for All Initiative.

5/16/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. **060688** **[Urging President George W. Bush not to deploy the National Guard along the United States-Mexico border]**

Supervisors Sandoval, Mirkarimi, Ammiano

Resolution urging President George W. Bush not to deploy the National Guard along the United States—Mexico border.

5/16/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

51. **060627** **[Zoning Map Amendment for 1327 7th Avenue]**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 1327 – 7th Avenue, and identified as Assessor's Block No. 1762, Lot No. 006, from a zoning designation of RH-2 (Residential House, Two Family) to NC-2, Inner Sunset Neighborhood Commercial District; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

Question: Shall this Ordinance be FINALLY PASSED?

PROPOSED ORDINANCES

Proposed ordinances received from May 10, 2006 through May 15, 2006, for reference by President to appropriate committee on May 23, 2006.

060670 **[Settlement of Lawsuit - Fire & Casualty Insurance Compan]**
Ordinance authorizing settlement of the lawsuit filed by The Fire & Casualty Insurance Company against the City and County of San Francisco for $700,000; the lawsuit was filed on August 14, 2002 in San Francisco Superior Court, Case No. 411-478; entitled The Fire & Casualty Insurance Company v. City and County of San Francisco.
(City Attorney)

5/15/2006, RECEIVED AND ASSIGNED to Rules Committee.

060671 **[Settlement of Lawsuit - Yekaterina Ramirez]**
Ordinance authorizing settlement of the matter of Yekaterina Ramirez v. City and County of San Francisco for $140,000. The lawsuit was filed on August 26, 2004, in San Francisco Superior Court, Case No. 434181; entitled Yekaterina Ramirez v. City and County of San Francisco, Public Utilities Commission, and Does 1 through 25.
(City Attorney)

5/15/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 10, 2006 through May 15, 2006, for reference by President to appropriate committee on May 23, 2006.

060634 **[Authorize payment of performance fees for Year 5 of the Water Infrastructure Partners contract for an amount not to exceed $246,944]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 5 of the Agreement with the Water Infrastructure Partners for an amount not to exceed $246,944.
(Public Utilities Commission)

5/15/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060709 **[Petition and Communications]**

Petitions and Communications received from May 9, 2006 through May 15, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 23, 2006.

From Municipal Transportation Agency, regarding installation of all-way STOP controls at the intersection of Darien Way and Santa Ana. (Reference No. 20060314-013), Copy: Supervisor Elsbernd. (1)

From Department of Public Health, submitting request for renewal of waivers from compliance with Chapter 12B of Administrative Code for Safeway and Cala Foods. (2)

From Port of San Francisco, submitting As-Needed Professional Services Contracts – 3rd Quarterly Report Fiscal Year 2005/06. (3)

From Clerk of the Board, submitting Cost Report for Budget Analyst Services FY 2006/07 Comparative Costs of Contracting vs. In-House Services. Copies: Each Supervisor and Budget Analyst. (4)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for Cathleen Sullivan and Rob Black. (5)

From: San Francisco Redevelopment Agency, submitting Notice of Public Scoping Meeting concerning preparation of Environmental Impact Report for 1746 Post Street Development. (6)

From Department of Public Health, submitting report on the rate of salary and fringe benefit expenditures for the nine months ending March 31, 2006 for SFGH, Laguna Honda Hospital, and General Fund divisions of Public Health. (7)

From Department of Public Health – Environmental Health, submitting Grant Budget Revision for HCPB18-06 State Funds for Mosquito Control. Copy: Budget and Finance Committee Clerk. (8)

From Municipal Transportation Agency, regarding feasibility of installing pedestrian countdown signals at Hayes and Masonic. (Reference No. 20060131-008), Copy: Supervisor Mirkarimi. (9)

From Police Department, regarding staffing levels at Taraval Police Station. (Reference No. 20060328-015), Copy: Supervisor Sandoval. (10)

From Clerk of the Board, submitting Quarterly Report on Departmental Spending. Copies: Each Supervisor, Contoller's Office, and Mayor's Office. (11)

From Private Industry Council, submitting latest report of activities for the Private Industry Council. (12)

From Department of Public Works, submitting request for release of reserve of TEA21 Demonstration Funds for environmental studies related to a bridge or surface roadway linking Hunters Point Shipyard to U.S. Highway 101. Copy: Budget and Finance Committee Members. (13)

From Recreation and Park Department, submitting request for waivers from Chapter 14A, 12B, and 12C of Administrative Code for: Paramount's Great America, Raging Waters, Santa Cruz Seaside Co., Six Flags Marine World, and Waterworld U.S.A. (14)

From Office of the Treasurer/Tax Collector, submitting Cash difference and Overage Fund balance for the period ending April 30, 2006. (15)

From Stradling Yocca Carlson & Rauth, regarding California Community College Financing

Authority 2006 Tax and Revenue Anticipation Bonds for San Francisco Community College District. (16)

From San Francisco International Airport, submitting waiver request for Chevron USA credit card. (17)

From Planning Department, submitting Planning Department Response Letter for Sunol/Niles Dam Removal Final EIR Appeal. File No. 060553, Copies: Each Supervisor and City Attorney. (18)

From Ethics Commission, submitting Legislation approved by the Ethics Commission. File Nos. 060033 and 060217. (19)

From concerned citizens, submitting opposition to proposed ordinance to prohibit condominium conversion for a building where specified evictions occurred. File No. 060443, Approximately 2 letters received, Copy: Each Supervisor. (20)

From Public Utilities Commission, regarding SFPUC Sunol and Niles Dams Removal Project, Appeal of the Final Environment Impact Report. File No. 060550, Copies: Each Supervisor and City Attorney. (21)

From Alameda Creek Alliance, submitting support for the Sunol and Niles Dam Removal Project. File No. 060550, Copies: Each Supervisor and City Attorney. (22)

From concerned citizens, submitting support for Proposed ten-year capital expenditure plan for Fiscal Year 2007-2016 to fund critical infrastructure needs throughout the City. File No. 060585, Approximately 7 letters received. (23)

From Joseph Braverman, regarding a system for direct voter participation in government. (24)

From San Francisco Redevelopment Agency, submitting Responses to written objections received on the proposed Redevelopment Plan for the Bayview Hunters Point Plan Amendment. File No. 060343, Copies: Each Supervisor and City Attorney. (25)

From Gladstone & Associates, submitting Proposed Amendments to Inclusionary Housing Ordinance. File No. 060084, Copy: Land Use Committee. (26)

From concerned citizens, submitting support for a full light signal at Lake Merced Hill. Copy: Each Supervisor, Approximately 13 letter received. (27)

From concerned citizens, submitting opposition to the Saturday road closures in Golden Gate Park. File No. 060250, Approximately 4 letters received. (28)

From concerned citizens, submitting opposition to the proposed Bayview Hunters Point Redevelopment Plan. File No. 060343, Copy: Each Supervisor. (29)

From The White House, submitting Thank You for forwarding a copy of Resolution No. 90-06, which urged the President and Congress to support HR 4574. File No. 060196. (30)

From: Department of Parking and Traffic, regarding improving the visibility of Dewey Circle. (Reference No. 20060404-001), Copy: Supervisor Elsbernd. (31)

From Department of Public Works, regarding the status of repairing potholes located at 1315- 16th Ave. (Reference No. 20060328-007), Copy: Supervisor Mirkarimi. (32)

From Ted Dienstfre, regarding Mayor's appointment to the Treasure Island Development Authority Board of Directors. File No. 060461, Copies: Each Supervisor. (33)

From concerned citizen, commenting on the lack of funding for violence prevention in the Bayview. (34)

From Elvin Rodriguez, commenting on his displeasure with receiving a citation while visiting the City. (35)

From concerned citizens, commenting on the waste of taxpayer's money in San Francisco. Approximately 2 letters received. (36)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 18, 2006

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Charter Amendment (First Draft) requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to respond to questions posed to him or her by members of the Board of Supervisors.	060673	Rules Committee	Supervisor Daly	5/16/06	6/15/06
Ordinance amending the Subdivision Code to add section relating to condominium conversion with senior, disabled, or catastrophically ill tenant purchase	060674	Land Use and Economic Development Committee	Supervisor Dufty	5/16/06	6/15/06
Ordinance amending Campaign and Governmental Code to clarify filing of a declaration of intention to become a candidate	060644	Rules Committee	Supervisor Peskin	5/9/06	6/8/06
Ordinance amending SF Planning Code to change designation of 11c from a one family to a moderate scale neighborhood commercial district	060640	Land Use & Economic Development Committee	Supervisor Sandoval	5/9/06	6/8/06
Ordinance amending Administrative Code by expanding the definitions of "economically disadvantaged individuals" and "entry level position.	060595	Rules Committee	Supervisor Mirkarimi	5/2/06	6/1/06
Ordinance amending the Planning Code to allow other entertainment as a principal use on the first and second stories in the Chinatown Retail zoning	060533	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.	060534	Land Use and Economic Development Committee	Supervisor Peskin	4/25/06	5/25/06
Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District.	060537	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Planning Code by amending Sheet 2 of the Zoning Map to change the use designation of Block 1177/Lot 001 and Block 1178/Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan.	060538	Land Use and Economic Development Committee	Supervisor Mirkarimi	4/25/06	5/25/06
Ordinance amending the Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company managers.	060539	City Operations and Neighborhood Services Committee	Supervisor Elsbernd	4/25/06	5/25/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 6, 2006 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

DOCUMENTS DEPT
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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for April 25, 2006, May 2, 2006 and May 9, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors Dufty, Peskin, Elsbernd

1. 060502 **[Lease of Real Property, 1650 Mission St.]**
Mayor
Resolution authorizing the renewal and expansion of an existing lease for the Human Services Agency and a new lease for the Department of City Planning with an option to purchase at 1650 Mission Street.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

2. 060574 **[Lease of Real Property at 1380 Howard Street]**
Resolution authorizing the renewal and expansion of a lease of 79,950 sq. ft. of space at 1380 Howard Street for the Department of Public Health.
(Real Estate Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

3. 060639 **[Grant of Local Funds - Municipal Transportation Agency]**
Mayor
Resolution authorizing the Municipal Transportation Agency to accept and expend $199,992 of Carl Moyer grant funds from the Bay Area Air Quality Management District to purchase and install new engines on 12 articulated motor coaches.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

4. 060708 **[Paratransit Reimbursement - Taxi Meter Rates]**
Supervisor Alioto-Pier
Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to June 30, 2006.

5/23/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

5. 060479 **[Zoning Map Amendment, 645 Howard Street]**
Supervisor Daly
Ordinance amending Zoning Map Sheet IH of the City and County of San Francisco for property located at Block 3735, Lot 047, to change the height and bulk district classification from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

5/23/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

6. 060480 **[General Plan Amendment, 645 Howard Street]**

Supervisor Daly

Ordinance amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan of the General Plan of the City and County of San Francisco to change the height and bulk district classification of the property located at Block 3735, Lot 047 from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Priority Policies of Planning Code Section 101.1.

5/23/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 060142 **[Public Works Code – sidewalk landscape permits]**

Mayor, Supervisor Alioto-Pier

Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.

5/23/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

8. 060386 **[55-year Seismic Safety Retrofit Loan Program Loans]**

Supervisors Dufty, Mirkarimi, Ammiano

Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

5/23/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 060530 **[Settlement of Lawsuit - Donald Sargeant]**

Ordinance authorizing settlement of the lawsuit filed by Donald Sargeant against the City and County of San Francisco for $225,000; the lawsuit was filed on March 25, 2005 in San Francisco Superior Court, Case No. 439-805; entitled Donald Sargeant v. City and County of San Francisco, et al.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Mirkarimi, Elsbernd

10. **060557** **[Settlement of Lawsuit - Linda Nussbaum]**

Ordinance authorizing settlement of the lawsuit filed by Linda Nussbaum against the City and County of San Francisco for $170,000; the lawsuit was filed on January 7, 2004 in San Francisco Superior Court, Case No. 427-870; entitled Linda Nussbaum v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. **060567** **[Settlement of Lawsuit - Eliana Martella]**

Ordinance authorizing settlement of the lawsuit filed by Eliana Martella against the City and County of San Francisco for $175,000; the lawsuit was filed on July 22, 2004 in Superior Court, Case No. CGC-04433236; entitled Eliana Martella, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the reduction of the San Francisco General Hospital lien from $17,829.64 to $12,829.64.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. **060611** **[Settlement of Lawsuit - ARCO et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against PS Trading for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

13. 060406 **[Appointment - Shelter Monitoring Committee]**

Resolution appointing Joanne L. Smith, Keith Wayne Kemp, and Damian R. Ochoa, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Joanne L. Smith, succeeding Christoph Jones, resigned, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.
Keith Wayne Kemp, succeeding Delbert Scott, resigned, seat 5, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.
Damian R. Ochoa, succeeding Dorothy Harris, resigned, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

Question: Shall this Resolution be ADOPTED?

14. 060438 **[Appointment - Commission of Animal Control and Welfare]**

Resolution appointing Laurie Kennedy-Routhier, Christine L. Garcia, and Dr. Mara Weiss, terms ending April 30, 2008, to the Commission of Animal Control and Welfare.

Laurie Kennedy-Routhier, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2008.
Christine L. Garcia, succeeding Joanne Kipnis, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2008.
Dr. Mara Weiss, succeeding herself, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2008.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Elsbernd

15. 060568 **[Extension of One Year Tolling Agreement between Daly City and San Francisco]**
Supervisor Elsbernd

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco").
(City Attorney)

Question: Shall this Resolution be ADOPTED?

16. **060569** **[Settlement of Claim - Daly City]**
Supervisor Elsbernd
Resolution approving Settlement of Claim by City and County of San Francisco ("San Francisco") against the City of Daly City ("Daly City").
(City Attorney)

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

17. 060806 **[Adopting findings related to the conditional use appeal on property located at 3575 Geary Boulevard]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2003.0410CEK!, a lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152) located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084.
(Clerk of the Board)

5/31/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd, Maxwell

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060475.

18. 060475 **[Public Employment - Mayor's Office of Economic and Workforce Development]**

Mayor

Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.
(Fiscal impact.)

5/23/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Select Committee on Ending Gun and Gang Violence

Present: Supervisors Maxwell, Mirkarimi, Ammiano

19. 060086 [Providing for public notice of installation of community safety cameras]
Supervisors Mirkarimi, Ammiano, Maxwell, Elsbernd
Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.

5/23/2006, AMENDED. Amended on page 1, line 23 after "monitoring systems" by inserting "traffic reporting cameras".
5/23/2006, CONTINUED AS AMENDED. Continued to June 6, 2006
Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee

20. 060107 [Child product safety]
Supervisors Ma, Maxwell, Alioto-Pier
Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

5/9/2006, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from City Operations & Neighborhood Services Committee.
5/23/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

21. 051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]
Supervisor Peskin
Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

9/27/2005, RE-REFERRED to Land Use Committee.
5/23/2006, PASSED ON FIRST READING. Supervisor Daly was previously excused from voting on this matter.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

22. 060628 **[Board of Appeals Surcharges]**

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from $56 to $26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from $17 to $10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from $10 to $3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from $9 to $3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from $11 to $13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from $11 to $13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from $17 to $10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from $10 to $3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from $9 to $3; (c) imposing a Board of Appeals surcharge of $26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16; and (d) imposing a Board of Appeals surcharge of $109.00 for medical cannabis dispensary permits issued by the Department of Public Health pursuant to Health Code Section 3007, and for annual license renewals associated with such permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code Section 249.20; and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the surcharges imposed by this ordinance and the adjustments to existing surcharges made by this ordinance are not "projects" and that all such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals relating to the aforementioned permits and licenses pursuant to Charter Section 4.106 and other applicable laws.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. **060653** **[Emergency contracts and appropriation to relocate the utility lines at San Francisco Crime Lab and prepare building program to relocate the forensic lab to a new location]**
Mayor
Ordinance approving award of emergency contracts and appropriating $820,000 for various consultant and construction services on an as-needed basis to relocate the sewer system at the San Francisco Crime Lab and prepare a building program to relocate the forensic lab to a new location.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. **060564** **[Proposition J Contract/Certification of Specified Contracted-Out Services for Enterprise Departments Previously Approved]**
Resolution concurring with the Controller's certification previously approved under Proposition J that services can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee parking management, information booth, public parking management and shuttle bus services (Airport); paratransit and security services (MTA); citation information, janitorial and landscaping, coin counting and collection, security, and towing services (MTA Parking & Traffic); janitorial and security services (Port).
(Mayor)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

25. **060444** **[Prohibiting Masonry Dry-Cutting]**
Supervisors Ma, Dufty
Ordinance amending the Administrative Code by adding new Chapter 64, Section 64.1 to prohibit City employees and City contractors from engaging in masonry dry-cutting and dry-grinding, with exceptions, and establishing alternative procedures; amending the Administrative Code by amending Section 6.22 to require that City contracts include the prohibition against masonry dry-cutting and dry-grinding found in Chapter 64; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. **060535** **[Memorandum of Understanding - Deputy Sheriffs' Association]**
Mayor, Supervisor Dufty
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association to be effective July 1, 2005 through June 30, 2009.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mirkarimi

27. 052025 **[Residential Rent Ordinance: Landlord may not sever parking/storage/access to common areas without just cause; tenant entitled to rent reduction upon severance]**
Supervisors Mirkarimi, Daly, Maxwell, Peskin
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2(r) to provide that parking or storage or access to common areas on the same lot, or similar facilities or space on the same lot, may not be severed by the landlord without just cause; and that where such severance does occur the tenant is entitled to a reduction in rent.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, Peskin

28. 060372 **[Off-Street Parking In C-3 Zoning Districts And For Bicycles and Car Share]**
Supervisor Peskin
Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 151, 151.1, 154, 155, 155.5, 161, 166, 167 and 309 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces and to separate parking costs from housing costs, to impose new requirements for parking for bicycles and car share vehicles, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department, the Municipal Transportation Agency and the County Transportation Agency to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

29. 060217 **[Reporting Sources of Gifts of Travel]**
Supervisors Sandoval, Ammiano, Mirkarimi
Ordinance amending Article III, Chapter 2 of the San Francisco Campaign and Governmental Conduct Code, by amending section 3.216 to impose reporting requirements for gifts of travel to elected officials.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 060033 **[Prohibiting Political Contributions from Corporations to Candidates for City Elective Office]**
Supervisors Peskin, Mirkarimi, Ammiano
Ordinance amending section 1.114 of the San Francisco Campaign and Governmental Conduct Code to prohibit corporations from making campaign contributions to candidates for City elective office.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 060387 **[Preparation of a Backup Plan for Elections; Contracts for Voting Equipment]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Municipal Elections Code by adding Section 980 to Article IX to require the Director of Elections to prepare a backup plan for elections whenever the voting system intended to be used in the next election is pending certification from the California Secretary of State and to require the Board of Supervisors to give great consideration to whether the voting system has been certified by the California Secretary of State.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 060524 **[Waiving the Competitive Requirements of the Administrative Code for the Procurement of Construction Services for Portion of the Laguna Honda Hospital Replacement Project]**
Supervisor Elsbernd
Ordinance waiving the competitive requirements of Chapter 6 of the Administrative Code and authorizing the director of Public Works, with the assistance of the Construction Manager-at Risk, to negotiate the subcontracts for the renovation of Wing C and Building H of the Laguna Honda Hospital Replacement Project and modifying the contract with the CM-at Risk to incoporate said subcontacts into the CM-at Risk to incorporate said subcontracts into the CM-at-Risk's scope of work.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 060534 **[Revising and clarifying procedures for imposition and collection of the 911 Emergency Response Fee imposed on telephone service subscribers]**
Supervisor Peskin
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 50

36. 060711 **[Encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.]**

Supervisor Ammiano

Resolution encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 060712 **[Commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats]**

Supervisor Ammiano

Resolution commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. **060713** **[California Global Warming Solutions Act of 2006]**

Supervisor Daly

Resolution urging the California Legislature to adopt Assembly Bill 32-The California Global Warming Solutions Act of 2006.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. **060714** **[South of Market Project Area Committee]**

Supervisor Daly

Resolution confirming the election results of members to the Project Area Committee for the South of Market Redevelopment Project Area and finding that the Procedures for the Election of Members to Redevelopment Project Area Committees were followed.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. **060715** **[National Hunger Awareness Day in San Francisco]**

Supervisor Daly

Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 500 programs citywide that distribute food in recognizing June 6, 2006 as National Hunger Awareness Day in San Francisco.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. **060716** **[Declaring June 1, 2006 as Silence the Violence Day]**

Supervisors Daly, Mirkarimi

Resolution declaring June 1, 2006 as Silence the Violence Day in commemoration of those who have died or have been victimized by violence in San Francisco.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. **060717** **[Acknowledging the leadership and social services provided by Project Families In Need to the people of the City and County of San Francisco]**

Supervisor Maxwell

Resolution acknowledging Project Families In Need this 23rd day of May 2006 and thank Project F.I.N. for providing social services to create a better quality of life for the community of San Francisco.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 060718 **[Honoring the memory of Deborah Gibbon]**
Supervisor Mirkarimi
Resolution honoring the life, spirit, community activism and contributions to the local artistic community of Deborah Gibbon.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

44. 060719 **[Honoring the Joe Goode Performance Group]**
Supervisor Mirkarimi
Resolution honoring the Joe Goode Performance Group on the occasion of their twentieth anniversary.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 060720 **[Expansion of community policing in San Francisco Housing Authority-owned developments]**
Supervisor Mirkarimi
Resolution urging the San Francisco Housing Authority to renew beyond June 30, 2006, and expand the size and geographical scope of its MOU with the San Francisco Police Department for supplemental law enforcement services dedicated to community policing in Housing Authority-owned developments.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 060721 **[Waiver permitting City employees to assist the Department of Elections with the June 6, 2006 election]**
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 6, 2006 election.

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

47. 060804 **[San Francisco Opera's free outdoor opera simulcast of Madama Butterfly]**
Supervisor Ma
Resolution commending the San Francisco Opera, David Gockley and event sponsors for providing San Francisco with the first simulcast opera at Civic Center Plaza.

5/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 060805 [Supporting Senate Bill 840, The California Health Insurance Reliability Act of 2005.] Supervisor Ma

Resolution supporting Senate Bill 840 (Kuehl), The California Health Insurance Reliability Act of 2005.

5/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060669 [Final Map 3553 for a 13 Unit Commercial/Residential Condominium Project - 2428 Bayshore Boulevard]

Motion approving Final Map 3553, 2428 Bayshore Boulevard, a 13 Unit Commercial/Residential Condominium Project, being a subdivision of that certain parcel described in that certain deed I522 O.R. 1299 recorded Nov. 26, 2003. Also being a Subdivision of Lot 003 in Assessor's Block No. 6249, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,045; District 10.)

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

50. 060689 [Final Map for a 6 Unit Live/Work Condominium Project - 2021 26th Street]

Motion approving Final Map of 2021 26th Street, a Live/Work Condominium Project, being a subdivision of Lot 018 in Assessor's Block No. 4327A, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,031; District 10.)

5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 16, 2006 through May 26, 2006, for reference by President to appropriate committee on June 6, 2006.

060723 **[Settlement of Lawsuit - Chubb Custom Insurance Company]**
Ordinance authorizing settlement of the lawsuit filed by Chubb Custom Insurance Company against the City and County of San Francisco for $65,000; the lawsuit was filed on February 24, 2005 in San Francisco Superior Court, Case No. 438-921; entitled Chubb Custom Insurance Company, et al., v. City and County of San Francisco, et al.
(City Attorney)

5/24/2006, RECEIVED AND ASSIGNED to Rules Committee.

060724 **[Settlement of Lawsuit - Lisa Kenney]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Kenney against the City and County of San Francisco for $125,000; the lawsuit was filed on November 13, 2003 in San Francisco Superior Court, Case No. 426-365; entitled Lisa Kenney v. City and County of San Francisco, et al.
(City Attorney)

5/24/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 16, 206 through May 26, 2006, for reference by President to appropriate committee on June 6, 2006.

060586 **[Amendment to Airport Sublease Agreement]**
Resolution approving Amendment of Sublease No. 00-0347 between Corporation of the Fine Arts Museums and the City and County of San Francisco, acting through its Airport Commission.

5/19/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee

060587 **[Gift - Private (Mobile Mammography Van)]**
Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of $146,041 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and under-served women in San Francisco.

5/25/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060722 **[Contract approval – Fire Department Emergency Medical Services Billing and Collections]**
Resolution approving the award and execution of San Francisco Fire Department Contract Number 4117-05/06, Emergency Medical Services Billing & Collections, to American Medibanc, Incorporated. In addition to generating approximately $19 million per year in revenue, out of which the City will pay American Medibanc a percentage varying from 7.0% to 5.5%, contractor also will provide the Department a system for electronic patient data collection and reporting. The term of the contract is four years, with two renewal options of two years each.
(Fire Department)

5/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be heard as soon as possible.

060725 **[Report of assessment costs for sidewalk and curb repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Public Works Department)
(DPW Order No. 176,050. Locations: 1125 Alabama Street; 1522 Church Street; 370 Lexington Street; 1201 Mission Street; 371 Noe Street; 1157 Stanyan Street; 1348 South Van Ness Avenue.)

5/24/2006, ASSIGNED to Board of Supervisors.

060802 **[Homeless and Senior Services Contract Approval – Episcopal Community Services]**
Resolution approving the contract between the City and County of San Francisco and Episcopal Community Services to provide various safety net services to homeless, formerly homeless, and frail and elderly senior citizens in San Francisco, for the period from July 1, 2006 to June 30, 2012, in the amount of $59,910,467.
(Human Services Department)

5/26/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be scheduled at the earliest meeting as this is time sensitive.

060803 **[Housing Services and Support Services Contract Approval - Tenderloin Housing Clinic]**
Resolution approving the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide housing services and support services to formerly homeless adults for the period from July 1, 2006 to June 30, 2009, in the amount of $41,589,314.
(Human Services Department)

5/26/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be scheduled at the earliest meeting as this is time sensitive.

060812 [Petitions and Communications]

Petitions and Communications received from May 16, 2006 through May 26, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 6, 2006.

From Metropolitan Transportation Commission, submitting the 2005 Annual Report for the Metropolitan Transportation Commission and its companion agencies, including the Bay Area Toll Authority (BATA) and the Service Authority for Freeways and Expressways. (1)

From Office of the Controller, submitting the Controller's Annual Report on Contracting Out. (2)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (3)

From Planning Department, submitting response to appeal of the Categorical Exemption for 828 Francisco Street, Case No. 2005.0493E. File No. 060570, Copies: Each Supervisor. (4)

From Planning Department, submitting response to the letter of appeal to the Board of Supervisors regarding the issuance of a Categorical Exemption for 2477 Sutter Street, Case No. 2005.0402E. File No. 060490, Copies: Each Supervisor and City Attorney. (5)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest: (6)
Alice Guiday, Legislative Assistant to Supervisor Maxwell
Zachary Tuller, Legislative Assistant to Supervisor Ammiano
Jonathan Wright, Legislative Assistant to Supervisor Sandoval

From Redevelopment Agency, submitting results of the South of Market Project Area Committee Election. Files 052022 and 060082 (7)

From Benjamini Associates, Inc., submitting request for a liquor license for 32 Heron Street LLC, at 32 Heron Street. (8)

From Abdallah Megahead, regarding training services for the community if a major earthquake or other big disaster occurs. (9)

From Office of the Mayor, withdrawing the Mayor's nomination of Rebecca Woodson to the Police Commission. (10)

From Office of the Mayor, submitting notice that Supervisor Dufty will be Acting Mayor on May 25 and May 26, 2006; and Supervisor Elsbernd will be Acting Mayor on May 27 and May 28, 2006, while the Mayor is out of the state of California. Copy: Each Supervisor, City Attorney (11)

From Office of the Mayor, submitting copy of vetoed letter for File 060250, which establishes Saturday closure of roads in Golden Gate Park. File 060250, Copy: Each Supervisor, City Attorney (12)

From Planning Department, submitting response to issues raised in a letter to the Board of Supervisors appealing certification of the Final Environmental Impact Report for the 3575 Geary Boulevard Senior Health Services Facility and Senior Housing Project. File 060560, Copy: Each Supervisor, City Attorney (13)

From Redevelopment Agency, submitting verification of consistency with the Redevelopment Plan for the proposed Beverages and More Store at 1301 Van Ness Avenue. File 060287, Copy: City Operations and Neighborhood Services Committee (14)

From Department of Public Health, submitting request for waiver of Administrative Code Chapter

12B for Lab Testing at Laboratory Corporation of America. (15)

From Rebuben and Junius LLP, submitting notice that appeal for project at 828 Francisco Street has been resolved. File 060570, Copy: Each Supervisor (16)

From Clerk of the Board, submitting copy of letter sent to the City Attorney regarding the California Community College Financing Authorizing 2006 Tax and Revenue Anticipation Bonds. (17)

From Municipal Transportation Agency, regarding the State of California Paratransit Minivan Procurement. (18)

From Human Services Agency, submitting request for waiver of Administrative Code Chapters 12B and 12C for Safeway. (19)

From concerned citizens, submitting her concerns with the exceptions to the city code for the proposed project at 3575 Geary Boulevard. File 060560, Copy: Each Supervisor (20)

From Martin Winderl, regarding an emergency preparedness plan for the City and County of San Francisco. (21)

From Planning Department, regarding proposed ordinance that modifies controls in C-3 Zoning Districts for permitted off-street parking, design and access to off-street parking and loading, separating parking costs from housing costs, and to modify controls in all districts for bicycle parking and car sharing. File 060372, Copy Land Use Committee (22)

From Office of the Controller, submitting report concerning an audit of the food and beverage concessions of Host International, Inc. at the San Francisco International Airport. (23)

From City of Pittsburg, submitting a draft environmental impact report for the Trans Bay Cable Project. (24)

From San Francisco Living Wage Coalition, urging the Board to vote for the amendments to the living wage law (the Minimum Compensation Ordinance and the Health Care Accountability Ordinance) to raise wages for non-profit workers, homecare workers and CalWORKs parents. File 051907, Copy: Budget and Finance Committee (25)

From Kristi Kimball, urging the Board to reduce the cost of the sidewalk landscape permit fee. File 060708, Copy: Each Supervisor (26)

From Office of the Controller, submitting report concerning the audit of Tigresse Fashion, LLC. (27)

From Office of the Controller, submitting report concerning the audit of Up From Darkness Inc. (28)

From Office of the Controller, submitting report concerning the overhead rates of selected firms that have performed work under the agreement between the PUC and the Water Infrastructure Partners. (29)

From Office of the Controller, submitting report concerning the audit of Museo Italo Americano. (30)

From Owner, Arguello Pet Hospital, regarding the proposed senior housing project at 3575 Geary Boulevard. File 060620, Copy: Supervisor McGoldrick (31)

From concerned citizens, submitting opposition to proposed ordinance that would prohibit the conversion of residential real property to condominiums when evictions have occurred pursuant to the Ellis Act. File 060443, Copy: Each Supervisor, 18 letters (32)

From Department of Public Works, regarding using rubberized asphalt concrete paving from the California Integrated Waste Management Board. (Reference No. 20060328-016) Copy: Supervisor Elsbernd (33)

From Municipal Transportation Agency, regarding status of efforts to rent out the retail space located at the Performing Arts Garage on Grove Street. (Reference No. 20060328-011) Copy: Supervisor Elsbernd (34)

From Law Offices of Stephen Williams, submitting request for dismissal of appeal of proposed project at 2477-2479 Sutter Street. File 060490, Copy: Each Supervisor (35)

From Director of Administrative Services, submitting two new appointments to the General Services Agency; Amy Brown as Director of Real Estate and John Noguchi as Director of Property Management. (36)

From concerned citizens, submitting support for a pedestrian crosswalk "signal" for Lake Merced Hill. Copy: Each Supervisor, 19 letters (37)

From concerned citizens, submitting support for continued funding of the Neighborhood Emergency Response Training (NERT) program taught by the Fire Department. 3 letters (38)

From Public Utilities Commission, responding to request to report on the status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20060425-016) Copy: Supervisor Mirkarimi (39)

From Municipal Transportation Agency, regarding where the Transbay Terminal project stands on its list of priorities for capital projects. (40)

From Vince Blaskovich, submitting his concerns with King Swimming Pool. Copy: Each Supervisor, Recreation and Park (41)

From concerned citizens, commenting on proposal to close JFK Drive in Golden Gate Park on Saturdays. File 060250, Copy: Each Supervisor, 5 letters (42)

From Charles Sears II, submitting support for more surveillance cameras for neighborhoods blighted by crime. Copy: Each Supervisor (43)

From concerned citizens, commenting on the Bayview Hunters Point Redevelopment Plan. File 060343, Copy: Each Supervisor, 3 letters (44)

From James Patton, commenting how difficult it is to access Octavia Street from Oak Street and the freeway from Market Street. Copy: Each Supervisor (45)

From Geri Hom, regarding her dissatisfaction with the golf rates at Harding Golf Course. Copy: Each Supervisor (46)

From Ahimsa Sumchai, commenting on the management audit of the Office of Emergency Services. (47)

From State Rules Committee, submitting notice of appointment of Maribel Marin, Felton Richardson and Leo Vander Lans as members of the Water Quality Control Board, Los Angeles Region. (48)

From the City of Fremont, submitting letter in support of the County of Alameda's request for a commitment to further study and mitigation of identified flood control impacts resulting from removal of Sunol and Niles Dams on Alameda Creek. File 060550 (49)

From Abdallah Megahead, submitting copy of letter sent to the Mayor asking for assistance with a minivan that was towed by Ruben Emery of Eagle Towing. (50)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Copy: Each Supervisor, 3 letters (51)

From concerned citizens, submitting support for a capital plan to fund critical infrastructure needs throughout the City. File 060585, Copy: Budget and Finance Committee, 2 letters (52)

From State Department of Health Services, submitting the Child Health and Disability Prevention allocations for fiscal year 2006-07. (53)

From Department of Public Health, submitting report concerning the monitoring of nonprofit organizations that received federal funding through the Department of Public Health. (54)

From Law Offices of Brian Gaffney, submitting additional comments regarding the Final Environmental Impact Report as reflected in the responses to comments published March 6, 2005. File 060560 (55)

From State Department of Water Resources, submitting the California Water Plan Update, Volumes 1, 2, 3. (56)

From Bridge Housing, submitting report on the proposed project at 3575 Geary Boulevard for mixed-use senior health services and supportive and affordable senior housing units. File 060620, Copy: Each Supervisor, City Attorney (57)

From Redevelopment Agency, submitting it's financial and performance reports for the fiscal year ended June 30, 2005. (58)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
JUN 16 2006
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 20, 2006 2:00 PM

Regular Meeting

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6/20/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for May 16, 2006 and May 23, 2006.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

1. 060726 **[Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2006-2007]**
Mayor
Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2007.

6/13/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **060727** **[Interim Consolidated Annual Salary Ordinance, Fiscal Year 2006-2007]**
Mayor
Interim Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation ordinance for fiscal year ending June 30, 2007.

6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

3. **060536** **[Appropriating $891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006]**
Mayor
Ordinance retroactively appropriating $891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006.
(Fiscal impact.)

6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

4. **060503** **[Notice Requirements For Board Hearings on Changes to Certain Traffic Regulations]**
Ordinance amending Section 43 of the Traffic Code to repeal requirements that notice be published in the newspaper 10 days prior to a hearing before the Board of Supervisors regarding a change in certain traffic regulations.
(Clerk of the Board)

6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. **060702** **[Written Informed Consent and Pre-Test Counseling for HIV Testing]**
Supervisors Ma, Dufty
Ordinance amending the San Francisco Health Code to add Section 139 encouraging the San Francisco Health Department to modify San Francisco General Hospital Medical Center's policies to require written informed consent and pre-test counseling before a patient receives an HIV antibody test.

6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

6. 052021 **[General Advertising Signs – Relocation Agreements, Sign Inventories]**
Supervisor Peskin
Ordinance amending the San Francisco Administrative Code by adding Section 2.21 to establish a General Advertising Sign Relocation Procedure; amending the San Francisco Planning Code by amending Section 303 to add criteria for the Planning Commission's approval of a general advertising sign relocation site, amending Planning Code Section 604 to prohibit general advertising signs that have been removed from being replaced on the same site, adding Section 604.2 to require general advertising sign companies to maintain and submit to the City current inventories of their signs, and amending Sections 1005 and 1111.7 to prohibit the relocation of new general advertising signs to Historic Districts or Conservation Districts or on an historic property regulated by Articles 10 and 11 of the Planning Code; and adopting findings including environmental findings and findings of consistency with the Priority Policies of Planning Code Section 101.1 and the General Plan.

6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

7. 060524 **[Waiving the Competitive Requirements of the Administrative Code for the Procurement of Construction Services for Portion of the Laguna Honda Hospital Replacement Project]**
Supervisor Elsbernd
Ordinance waiving the competitive requirements of Chapter 6 of the Administrative Code and authorizing the director of Public Works, with the assistance of the Construction Manager-at Risk, to negotiate the subcontracts for the renovation of Wing C and Building H of the Laguna Honda Hospital Replacement Project and modifying the contract with the CM-at Risk to incoporate said subcontacts into the CM-at Risk to incorporate said subcontracts into the CM-at-Risk's scope of work.

6/6/2006, CONTINUED. Continued to June 13, 2006
6/13/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

8. 060670 **[Settlement of Lawsuit - Fire & Casualty Insurance Company]**
Ordinance authorizing settlement of the lawsuit filed by The Fire & Casualty Insurance Company against the City and County of San Francisco for $700,000; the lawsuit was filed on August 14, 2002 in San Francisco Superior Court, Case No. 411-478; entitled The Fire & Casualty Insurance Company v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. **060671** **[Settlement of Lawsuit - Yekaterina Ramirez]**

Ordinance authorizing settlement of the matter of Yekaterina Ramirez v. City and County of San Francisco for $140,000. The lawsuit was filed on August 26, 2004, in San Francisco Superior Court, Case No. 434181; entitled Yekaterina Ramirez v. City and County of San Francisco, Public Utilities Commission, and Does 1 through 25.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. **060723** **[Settlement of Lawsuit - Chubb Custom Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by Chubb Custom Insurance Company against the City and County of San Francisco for $65,000; the lawsuit was filed on February 24, 2005 in San Francisco Superior Court, Case No. 438-921; entitled Chubb Custom Insurance Company, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. **060724** **[Settlement of Lawsuit - Lisa Kenney]**

Ordinance authorizing settlement of the lawsuit filed by Lisa Kenney against the City and County of San Francisco for $125,000; the lawsuit was filed on November 13, 2003 in San Francisco Superior Court, Case No. 426-365; entitled Lisa Kenney v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. **060811** **[Appointment - Ballot Simplification Committee]**

Resolution appointing June M. Fraps, term ending November 30, 2006, to the Ballot Simplification Committee.

June M. Fraps, succeeding Alma Carroll, resigned, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter, or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

13. 060247 **[Minimum Wage Implementation and Enforcement]**
Supervisors Maxwell, Ammiano, Daly, Mirkarimi, McGoldrick
Ordinance (1) amending Chapter 12R of the San Francisco Administrative Code (Minimum Wage Ordinance) to impose an annual fee upon employers to defray the City's costs of implementing and enforcing the Minimum Wage Ordinance, (2) expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the regulatory fees imposed by this ordinance are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Office of Labor Standards Enforcement or successor department of the City and County of San Francisco, including employee wage rates, fringe benefits and other direct and indirect overhead charges, attributable to the implementation and enforcement of the Minimum Wage Ordinance.
(Fiscal impact.)
(Supervisor Elsbernd dissented in committee.)

6/13/2006, CONTINUED. Continued to June 20, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mirkarimi

14. 052025 **[Residential Rent Ordinance: Landlord may not severe parking/storage/access to specified common areas without just cause; tenant entitled to rent reduction upon severance.]**
Supervisors Mirkarimi, Daly, Maxwell, Peskin, Ammiano
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2(r) to provide that garage facilities, parking facilities, or storage or access to common areas, laundry rooms, lobbies, decks, patios, or gardens on the same lot, or kitchen facilities in single room occupancy (SRO) hotels, supplied in connection with the use or occupancy of a unit, or similar facilities or space on the same lot, may not be severed from a tenancy by the landlord without just cause; and that where such a severance does occur the tenant is entitled to a reduction in rent.

6/6/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
6/6/2006, PASSED ON FIRST READING.
6/13/2006, FINALLY PASSED.
6/13/2006, AMENDED. Amended to include language relating to lobbies in single room occupancy (SRO) hotels.
6/13/2006, PASSED ON FIRST READING AS AMENDED. Supervisor Ammiano requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

15. 060585 **[Ten Year Capital Expenditure Plan]**
Supervisors Elsbernd, Peskin
Resolution adopting the City's initial ten year capital expenditure plan.

Question: Shall this Resolution be ADOPTED?

16. 060802 **[Homeless and Senior Services Contract Approval - Episcopal Community Services]**
Resolution approving the contract between the City and County of San Francisco and Episcopal Community Services to provide various safety net services to homeless, formerly homeless, and frail and elderly senior citizens in San Francisco, for the period from July 1, 2006 to June 30, 2009, in the amount of $30,387,988.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

17. 060803 **[Housing Services and Support Services Contract Approval - Tenderloin Housing Clinic]**
Resolution approving the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide housing services and support services to formerly homeless adults for the period from July 1, 2006 to June 30, 2009, in the amount of $41,589,314.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

18. 060740 **[MOU - Deputy Probation Officers' Association]**
Mayor
Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 060741 **[MOU - Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit)]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 060742 **[MOU - Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410)]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 060743 **[MOU - Teamsters, Local 856 (Multi-Unit)]**
Mayor
Ordinance adopting and implementing the arbitration award establishing the amended Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 060744 **[MOU - Teamsters, Local 350]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 060745 **[MOU - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 060746 **[MOU - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 060747 **[MOU - District Attorney Investigators' Association]**

Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 060748 **[MOU - Municipal Attorneys' Association]**

Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2006 through June 30, 2009.

(Supervisor Peskin dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 060749 **[Unrepresented Employees]**

Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 060750 **[MOU - Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 060751 **[MOU - Service Employees International Union, Local 790 Staff & Per Diem Nurses]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2006 through June 30, 2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 060752 **[MOU - Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2006 through June 30, 2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 060753 **[MOU - Transport Workers Union of America, AFL-CIO, Local 200]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 060754 **[MOU - San Francisco Institutional Police Officers' Association]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 060755 **[MOU- International Brotherhood of Electrical Workers Local Union 6, AFL-CIO]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 060756 **[MOU - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 060757 **[MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 060758 **[MOU - Laborers International Union, Local No. 261]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 060759 **[MOU - Consolidated Craft Unions]**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 36; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 060760 **[MOU - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 060761 **[MOU - California Association of Interns and Residents/Committee of Interns and Residents, SEIU]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the California Association of Interns and Residents/Committee of Interns and Residents, SEIU, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 060762 **[MOU - Union of American Physicians and Dentists (Unit 8CC)]**

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC), to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 060763 **[MOU - Union of American Physicians and Dentists (Unit 11AA)]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA), to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 060764 **[MOU - Municipal Executives' Association]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 060765 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39, to be effective July 1, 2006 through June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

44. 060143 **[Board of Appeals – Notice of Hearings]**
Supervisor Ma
Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 12 to require mailed notice of hearings to all owners and, to the extent practicable, residents within 150 feet of the property that is the subject of the appeal.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 060693 **[Appointment, Planning Commission - Kathrin Moore]**
Supervisor Peskin
Motion approving the Board of Supervisors President Peskin's nomination of Kathrin Moore to the Planning Commission, term ending July 1, 2010.
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - (May 23, 2006.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

46. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

47. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 48 through 58

48. 060855 **[Commending Judge Quentin L. Kopp on his appointment to the California High Speed Rail Authority]**
Supervisors Daly, Mirkarimi
Resolution commending Judge Quentin L. Kopp on his appointment to the California High Speed Rail Authority and supporting the work of the Authority to build a high-speed rail system in California.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 060856 **[Episcopal Community Services' Summer Tini Benefit for the CHEFS program]**
Supervisor Daly
Resolution commending ECS and the Summer Tini sponsors for their commitment to support the Conquering Homelessness through Employment in Food Service Program.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

50. 060861 **[Proclaiming June 26 through July 3, 2006, Childhood Cancer Awareness Week]**
Supervisor Peskin
Resolution proclaiming June 26 through July 3, 2006, Childhood Cancer Awareness Week in San Francisco.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 060862 **[Strong New Orleans East]**
Supervisor Peskin
Resolution supporting the Citizens for a Strong New Orleans East in their effort to close the operation of the Chef Menteur landfill and preserve New Orleans for the communities of color.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 060863 **[Continuing the Ongoing work of the Utility Undergrounding Task Force]**

Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by October 31, 2006.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 060864 **[Resolution to Nominate 200 Year-Old California Valley Oak Tree for Landmark designation]**

Supervisor Ammiano

Resolution nominating California Valley Oak Tree Located at 2840 25th Street initiating the landmark tree designation pursuant to Public Works Code Section 801(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts to protect this tree.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 060865 **[Establishing a comprehensive HIV/AIDS housing plan for San Francisco]**

Supervisors Dufty, Ammiano, Alioto-Pier, Mirkarimi, Daly

Resolution calling on the Department of Public Health to establish a HIV/AIDS Housing Working Group to work with relevant City Agencies, community stakeholders and members of the Board of Supervisors to establish a comprehensive HIV/AIDS Housing plan for San Francisco.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 060866 **[Endorsing SB 1712 (establishing a three year, four county pilot program to increase adoptions of older, "hard-to-place" Foster youth, and appropriating $4,000,000 in State funding toward the pilot program]**

Supervisors Dufty, Maxwell, Ammiano, Ma

Resolution endorsing SB 1712 (establishing a three-year, four-county pilot program to increase adoptions of older, "hard-to-place" Foster youth, and appropriating $4,000,000 in State funding toward the pilot program).

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 060867 **[Commemorating Allen Ginsberg, HOWL, and the Beat Poets at the former Six Gallery]**

Supervisor Alioto-Pier

Resolution recognizing Allen Ginsberg and the first public full-length reading of the poem HOWL as a significant event in the literary history of San Francisco.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 060868 **[Urging the California State Senate not to approve AB 2987]**
Supervisors Ammiano, Dufty, McGoldrick, Maxwell
Resolution urging the California State Senate to vote no on AB 2987 which, if passed, would eliminate the City and County's role in negotiating cable and video franchises.

6/13/2006 REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

58. 060873 **[California Coastal Commission Budget]**
Supervisor Peskin
Resolution urging Governor Schwarzenegger to approve the FY2006-07 California Coastal Commission Budget as approved by Senate and Assembly Budget Subcommittees.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

59. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 6, 2006 through June 12, 2006, for reference by President to appropriate committee on June 20, 2006.

060826 **[Prohibiting vehicle parking for commercial advertising purposes]**
Ordinance repealing San Francisco Police Code Section 681, adding San Francisco Traffic Code Section 63.3, and amending San Francisco Traffic Code Section 132 to impose a penalty of $100 for violation of Traffic Code Section 63.3.
(Parking and Traffic Department)

6/7/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060827 **[Settlement of Lawsuit - Nibbi Brothers, Inc]**
Ordinance authorizing settlement of the lawsuit filed by Nibbi Brothers, Inc., against the City and County of San Francisco for $300,000; the lawsuit was filed on January 17, 2006 in San Francisco Superior Court, Case No. CGC 06448631; entitled Nibbi Brothers, Inc., v. City and County of San Francisco.
(City Attorney)

6/12/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

Proposed resolution received from June 6, 2006 through June 12, 2006, for reference by President to appropriate committee on June 20, 2006.

060825 **[Finding of Fiscal Feasibility; Endorsement of Term Sheet; Exploratorium Project at Piers 15/17]]**
Resolution finding the proposed Exploratorium Project at Piers 15/17 fiscally feasible pursuant to Administrative Code Chapter 29 and endorsing the Term Sheet between The Exploratorium and the San Francisco Port Commission.
(Port)

6/8/2006, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060891 **[Petitions and Communications]**

Petitions and Communications received from June 6, 2006 through June 12, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 20, 2006.

From concerned citizens, submitting support for a pedestrian crosswalk "signal" for Lake Merced Hill. Copy: Each Supervisor, 14 letters (1)

From Office of the Mayor, submitting notice that Supervisor Elsbernd will be Acting Mayor from June 9 through June 11, 2006 while the Mayor is out of State. Copy: Each Supervisor, City Attorney (2)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for Sheryl Davis, Legislative Assistant to Supervisor Mirkarimi (3)

From Municipal Transportation Agency, submitting potential parking changes to the Market Street Bicycle Lane Project. Files 060353, 060352, 060388, Copy: City Operations and Neighborhood Services Committee (4)

From Department of Public Works, reporting on the status of repairing the potholes at the intersection of Alma and Belevedere Streets. (Reference No. 20060404-007) Copy: Supervisor Mirkarimi (5)

From Department of Public Works, reporting on the status of repairing the potholes at 132 Baker Street and the sidewalk at Pierce and Fulton Streets. (Reference No. 20060523-007) Copy: Supervisor Mirkarimi (6)

From Department of Public Works, reporting on the status of removing graffiti from newspaper vending boxes at various locations in District 5. (Reference No. 20060516-003) Copy: Supervisor Mirkarimi (7)

From Department of Public Works, reporting on the status of removing graffiti from newspaper vending boxes at various locations in District 5. (Reference No. 20060516-004) Copy: Supervisor Mirkarimi (8)

From Municipal Transportation Agency, reporting on the status of removing graffiti on parking signs at various locations in District 5. (Reference 20060418-018) Copy: Supervisor Mirkarimi (9)

From Municipal Transportation Agency, reporting on the status of removing graffiti on parking signs at various locations in District 5. (Reference 20060418-019) Copy: Supervisor Mirkarimi (10)

From Municipal Transportation Agency, reporting on the status of removing graffiti on parking signs at various locations in District 5. (Reference 20060418-021) Copy: Supervisor Mirkarimi (11)

From Municipal Transportation Agency, reporting on the status of removing graffiti on stop signs at various locations in District 5. (Reference 20060418-022) Copy: Supervisor Mirkarimi (12)

From Municipal Transportation Agency, reporting on the status of removing graffiti from all Department of Parking and Traffic signage along both sides of Buchannan Street from Waller Street to Geary Boulevard. (Reference No. 20060425-026) Copy: Supervisor Mirkarimi (13)

From Municipal Transportation Agency, reporting on the status of removing graffiti from the Department of Parking and Traffic signage at various locations in District 5. (Reference No. 20060502-003) Copy: Supervisor Mirkarimi (14)

From Municipal Transportation Agency, reporting on the status of removing graffiti from the Department of Parking and Traffic signage at various locations in District 5. (Reference No.

20060502-004) Copy: Supervisor Mirkarimi (15)

From Municipal Transportation Agency, reporting on the status of removing graffiti from stop signs at various locations in District 5. (Reference No. 20060502-007) Copy: Supervisor Mirkarimi (16)

From Municipal Transportation Agency, reporting on the status of removing graffiti from all Department of Parking and Traffic signage along both sides of the 800 block of Hayes Street. (Reference No. 20060502-008) Copy: Supervisor Mirkarimi (17)

From Recreation and Park Department, submitting report concerning the requirements of the Lead Poisoning Prevention Ordinance for fiscal year 2005-06. Copy: Supervisors Daly, Maxwell, Peskin (18)

From Matael, Inc., commenting on proposed legislation regarding Child Product Safety. File 060107, Copy: Each Supervisor (19)

From Clerk of the Board, submitting copy of letter sent to the Board of Supervisors regarding Proposition B, the Eviction Disclosure Ordinance, adopted by the voters on June 6, 2006. Copy: Each Supervisor (20)

From Michael Willis, submitting support for appointing Kathrin Moore to the Planning Commission. Copy: Rules Committee (21)

From Department of Children, Youth and Their Families, submitting list of all sole source contracts for fiscal year 2005-06. (22)

From Police Department, submitting list of all sole source contracts entered into for fiscal year 2005-06. (23)

From Department of Public Works, submitting request for release of reserved funds for environmental studies related to a bridge or surface roadway linking Hunters Point Shipyard to U.S. Highway 101. (24)

From Kathrine Albrecht, submitting support for continued funding of the Neighborhood Emergency Response Team N.E.R.T. taught by the Fire Department. (25)

From the Shelter Monitoring Committee, submitting quarterly report for the Shelter Monitoring Committee. (26)

From Planning Department, recommending the Board adopt proposed ordinance to establish the Japantown Special Use District with modifications. File 060266, Copy: Land Use Committee (27)

From Planning Department, submitting notice of preparation of an environmental impact report and notice of public scoping meetings regarding the Bay Division Pipeline Reliability Upgrade Project. (28)

From State Mental Health Board, submitting copy of letter sent to the City Attorney informing him of the court proceedings regarding the conditional release of Mr. Paul George, a sexually violent predator, from the Department of Mental Health's Atascadero State Hospital. (29)

From Fisherman's Grotto Employees, submitting grievance against the San Francisco Port of Commissioners. (30)

From Office of the Treasurer, submitting copy of investment activity (for fiscal year) to date) of the portfolios under the Treasurer's management. (31)

From Miles Berger, regarding neighborhood issues in the South of Market area. 3 letters (32)

From Kimberly Babbit, regarding proposed legislation to ban children's products containing BPA or phthalates. File 060107 (33)

From Department of Public Works, reporting on the status of removing graffiti from various locations in District 5. (Reference No. 20060321-007) Copy: Supervisor Mirkarimi (34)

From Fire Department, submitting notice that a fire/life safety inspections report was conducted for SF General Hospital at 1001 Potrero Avenue. (35)

From Fire Department, submitting notice that a fire/life safety inspections report was conducted for SF Superior Court at 850 Bryant Street. (36)

From Fire Department, submitting notice that a fire/life safety inspections report was conducted for Mission Police Department, Juvenile Division at 630 Valencia Street. (37)

From Fire Department, submitting notice that a fire/life safety inspections report was conducted for SF Jail # 1 at 850 Bryant Street/6th Floor. (38)

From Linda Votaw, urging the Board to have a stop sign installed at 24th and Kanasas Street. Copy: Supervisor Maxwell (39)

From Clyde Rockwell, submitting opposition to the proposed Crestmont Hills Residential Project. Copy: Each Supervisor (40)

From Tracey Huges, appealing decision for proposed project at 1070 Sanchez Street. (41)

From US Congressman Tom Lantos, thanking the Clerk of the Board for informing him of resolution passed by the SF Board of Supervisors regarding immigration reform. File 060067, Copy: Each Supervisor (42)

From Geri Hom, submitting opposition to the huge increase in fees at Harding Golf Course. File 060771 (43)

From Charles Tyldsley, submitting copy of letter sent to Municipal Transportation Authority regarding the unreliable bus service in the Parkmerced area. (44)

From Marshall Ross, submitting support for docking the USS Iowa in San Francisco. (45)

From Department of Public Works, reporting on the status of repairing the potholes at various locations in District 5. (Reference No. 20060418-005) Copy: Supervisor Mirkarimi (46)

From Department of Parking and Traffic, regarding the circulation study for Octavia Boulevard and the Hayes Valley area. (Reference No. 20060509-006) Supervisor Mirkarimi (47)

From Office of the Mayor, withdrawing appointment of Rebecca Woodson to the San Francisco Police Commission. Copy: Each Supervisor (48)

From Office of the Controller, submitting report concerning the audit of Footloose Dance Company, Inc. (49)

From Anthony Pan, regarding staff layoffs and the closing of the Resource Center at the Asian Art Museum. (50)

From Deputy Assistant to President Bush, thanking the Clerk of the Board for informing him of resolution passed by the S.F. Board of Supervisors urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act. (51)

From Human Rights Commission, submitting notice that the Human Rights Commission did not enter into any sole source contracts during fiscal year 2005-06. (52)

From Office of the District Attorney, submitting list of all sole source contracts entered into during fiscal year 2005-06. (53)

From Juvenile Probation Department, submitting notice that the Juvenile Probation Department did not enter any sole source contracts during fiscal year 2005-06. (54)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 27, 2006 2:00 PM

Regular Meeting

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AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 38

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

1. 051779 **[Liquor License, 1661 Filmore Street]**
Resolution determining that the issuance of a Type 40 (On-Sale Beer) alcoholic beverage license to Semere Mesfun, for The Unity Cafe located at 1661 Fillmore Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

2. 060558 **[Liquor License Transfer, 430 Mason Street]**

Resolution determining that the premises to premises exchange transfer of a Type 47 (On-Sale General Eating Place) license for a Type 48 (On-Sale General Public Premises) alcoholic beverage license from 635 Eighth Street to 430 Mason Street to Inner Circle Entertainment IV, LLC dba The Slide will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

3. 060587 **[Gift - Private (Mobile Mammography Van)]**

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of $146,041 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and under-served women in San Francisco.

Question: Shall this Resolution be ADOPTED?

4. 060682 **[Child Abuse Prevention]**

Supervisors Ma, Dufty

Resolution approving the Three-Year County Plan for the Child Abuse Prevention, Intervention and Treatment program (CAPIT), Community Based Child Abuse Prevention program (CBCAP), and Promoting Safe and Stable Families program (PSSF), and establishing the San Francisco Child Abuse Council as San Francisco's child abuse prevention multidisciplinary coordinating body.

Question: Shall this Resolution be ADOPTED?

5. 060783 **[Gifts to the Fire Department]**

Mayor

Resolution accepting and expending (1) a gift to the Fire Department of $100,000 from the Fireman's Fund Insurance Company for the Department's Neighborhood Emergency Response Training ("NERT") Program and (2) gifts to the Fire Department from Johnson & Johnson of $100,000 for the NERT Program and of medical supplies valued at $20,000 for the NERT Program or for disaster relief.

Question: Shall this Resolution be ADOPTED?

6. 060785 **[Accept-Expend Federal Grant Funds]**

Mayor

Resolution authorizing the San Francisco Fire Department (SFFD) to accept and expend $375,311 in grant funds from the Federal Emergency Management Agency (FEMA) for the development and implementation of a fire safety and prevention program for senior citizens.

Question: Shall this Resolution be ADOPTED?

7. 060800 **[Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of $548,465.74 from the California Department of Health Services, Emergency Preparedness Office, for year 3 of the Hospital Preparedness Program, for the period of September 1, 2005, through August 31, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd

8. 060670 **[Settlement of Lawsuit - Fire & Casualty Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by The Fire & Casualty Insurance Company against the City and County of San Francisco for $700,000; the lawsuit was filed on August 14, 2002 in San Francisco Superior Court, Case No. 411-478; entitled The Fire & Casualty Insurance Company v. City and County of San Francisco.
(City Attorney)

6/20/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 060671 **[Settlement of Lawsuit - Yekaterina Ramirez]**

Ordinance authorizing settlement of the matter of Yekaterina Ramirez v. City and County of San Francisco for $140,000. The lawsuit was filed on August 26, 2004, in San Francisco Superior Court, Case No. 434181; entitled Yekaterina Ramirez v. City and County of San Francisco, Public Utilities Commission, and Does 1 through 25.
(City Attorney)

6/20/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 060723 **[Settlement of Lawsuit - Chubb Custom Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by Chubb Custom Insurance Company against the City and County of San Francisco for $65,000; the lawsuit was filed on February 24, 2005 in San Francisco Superior Court, Case No. 438-921; entitled Chubb Custom Insurance Company, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/20/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 060724 [Settlement of Lawsuit - Lisa Kenney]

Ordinance authorizing settlement of the lawsuit filed by Lisa Kenney against the City and County of San Francisco for $125,000; the lawsuit was filed on November 13, 2003 in San Francisco Superior Court, Case No. 426-365; entitled Lisa Kenney v. City and County of San Francisco, et al.
(City Attorney)

6/20/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 060143 [Board of Appeals – Notice of Hearings]

Supervisor Ma

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 12 to require mailed notice of hearings to all owners and, to the extent practicable, residents within 150 feet of the property that is the subject of the appeal.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 060848 [Appointment - In-Home Supportive Services Public Authority]

Resolution appointing Elizabeth Grigsby, term ending March 1, 2007, to the In-Home Supportive Services Public Authority.

Elizabeth Grigsby, succeeding Ruth Nunez, seat 9, resigned, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2007.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

14. 060846 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Tom Radulovich, Anthony Faber, Kaye Griffin and Lynn Valente, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Tom Radulovich, succeeding Jeremy Nelson, resigned, seat 15, must be a transportation advocate, for the unexpired portion of a three-year term ending November 23, 2007.
Anthony Faber, succeeding Richard Kempis, resigned, seat 16, must be a preservation advocate, for the unexpired portion of a three-year term ending November 23, 2007.
Kaye Griffin, new appointment, seat 21, must be a person with a disability, for the unexpired portion of a three-year term ending November 23, 2007.
Lynn Valente, new appointment, seat 22, must be a resident of the area defined as "SoMa West" by the Planning Department, for the unexpired portion of a three-year term ending November 23, 2007.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

15. 060740 **[MOU - Deputy Probation Officers' Association]**
Mayor
Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

16. 060741 **[MOU - Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit)]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

17. 060742 **[MOU - Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410)]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

18. 060743 **[MOU - Teamsters, Local 856 (Multi-Unit)]**
Mayor
Ordinance adopting and implementing the arbitration award establishing the amended Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

19. 060744 **[MOU - Teamsters, Local 350]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

20. 060745 [MOU - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 060746 [MOU - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. 060747 [MOU - District Attorney Investigators' Association]

Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 060749 [Unrepresented Employees]

Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. 060750 [MOU - Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West]

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

25. 060751 **[MOU - Service Employees International Union, Local 790 Staff & Per Diem Nurses]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2006 through June 30, 2007.

6/20/2006, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

26. 060752 **[MOU - Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2006 through June 30, 2007.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

27. 060753 **[MOU - Transport Workers Union of America, AFL-CIO, Local 200]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

28. 060754 **[MOU - San Francisco Institutional Police Officers' Association]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

29. 060755 **[MOU- International Brotherhood of Electrical Workers Local Union 6, AFL-CIO]**
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

30. 060756 [MOU - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

31. 060757 [MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

32. 060758 [MOU - Laborers International Union, Local No. 261]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

33. 060759 [MOU - Consolidated Craft Unions]

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 36; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto. Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

34. 060761 **[MOU - California Association of Interns and Residents/Committee of Interns and Residents, SEIU]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the California Association of Interns and Residents/Committee of Interns and Residents, SEIU, to be effective July 1, 2006 through June 30, 2009.

6/20/2006 PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

35. 060762 **[MOU - Union of American Physicians and Dentists (Unit 8CC)]**

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC), to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

36. 060763 **[MOU - Union of American Physicians and Dentists (Unit 11AA)]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA), to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

37. 060764 **[MOU - Municipal Executives' Association]**

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

38. 060765 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**

Mayor

Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

39. 060247 **[Minimum Wage Implementation and Enforcement]**
Supervisors Maxwell, Ammiano, Daly, Mirkarimi, McGoldrick
Ordinance (1) amending Chapter 12R of the San Francisco Administrative Code (Minimum Wage Ordinance) to impose an annual fee upon employers to defray the City's costs of implementing and enforcing the Minimum Wage Ordinance, (2) expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the regulatory fees imposed by this ordinance are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Office of Labor Standards Enforcement or successor department of the City and County of San Francisco, including employee wage rates, fringe benefits and other direct and indirect overhead charges, attributable to the implementation and enforcement of the Minimum Wage Ordinance.
(Fiscal impact.)
(Supervisor Elsbernd dissented in committee.)

6/13/2006, CONTINUED. Continued to June 20, 2006
6/20/2006, CONTINUED. Continued to June 27, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Ammiano, Alioto-Pier, Peskin

40. 060748 **[MOU - Municipal Attorneys' Association]**
Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2006 through June 30, 2009.
(Supervisor Peskin dissented in Committee.)

6/20/2006, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

41. 060760 **[MOU - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO]**
Mayor
Ordinance adopting and implementing the mediated settlement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2006 through June 30, 2009.

6/20/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mirkarimi

42. 052025 **[Residential Rent Ordinance: Landlord may not severe parking/storage/access to specified common areas without just cause; tenant entitled to rent reduction upon severance.]**
Supervisors Mirkarimi, Daly, Maxwell, Peskin, Ammiano
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2(r) to provide that garage facilities, parking facilities, or storage or access to common areas, laundry rooms, lobbies, decks, patios, or gardens on the same lot, or kitchen facilities in single room occupancy (SRO) hotels, supplied in connection with the use or occupancy of a unit, or similar facilities or space on the same lot, may not be severed from a tenancy by the landlord without just cause; and that where such a severance does occur the tenant is entitled to a reduction in rent.

6/6/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/6/2006, PASSED ON FIRST READING.

6/13/2006, AMENDED. Amended to include language relating to lobbies in single room occupancy (SRO) hotels.

6/13/2006, PASSED ON FIRST READING AS AMENDED. Supervisor Ammiano requested to be added as a co-sponsor.

6/20/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

6/20/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

43. 060734 **[Redevelopment Agency Budget]**
Mayor
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2006-2007.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

44. 060786 **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**
Mayor
Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: central shops security, convention facilities management, janitorial and security services (Admin Services); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); body removal services (Medical Examiner); Project S.A.F.E. (Police); and jail food services (Sheriff).
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

45. 060083 **[Public Works Code – enclosure of garbage receptacles]**
Supervisors McGoldrick, Ma
Ordinance amending Public Works Code Section 170 to require that garbage receptacles, after collection, be returned to an enclosed area or other area that blocks views of the receptacle from the public right-of-way; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 060539 **[Modifying the driving requirement for designated taxi company key personnel]**
Supervisor Elsbernd
Ordinance amending the San Francisco Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company key personnel.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 060869 **[Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department]**
Supervisor Maxwell
Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

48. 060266 **[Japantown Special Use District]**
Supervisor Mirkarimi
Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna Street, and Fillmore Street, as defined herein, to require conditional use authorization and additional Planning Commission findings for specified uses, and to require specified notice, including additional posted notice; amending Planning Code Section 703.3 to require conditional use authorization for the establishment of formula retail uses in this District; amending the City's Zoning Map Sectional Map 2SU to reflect the boundaries of this District; requiring a report on the status of this District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 060668 **[Landmark Designation of 557 Ashbury Street/1500-1512 Haight Street (the Richard P. Doolan/Norman T. Larson Residence and Storefronts)]**
Supervisors Mirkarimi, Peskin
Ordinance Designating 557 Ashbury Street/1500-1512 Haight Street, the Richard P. Doolan/Norman T. Larson Residence and Storefronts, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 060824 **[Authorizing the Port to award a contract, without competitive solicitation, for the crushing, removal, and/or disposal of debris and/or contaminated soils on Pier 94, Seawall Lot 352]**
Mayor
Ordinance authorizing the Port of San Francisco to award a contract, without competitive solicitation, for the crushing, removal, and/or disposal of construction demolition debris and/or contaminated soils on Pier 94, Seawall Lot 352.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

51. 060807 [Appointment, Planning Commission - Hisashi Sugaya]

Motion approving the Board of Supervisors President Peskin's nomination of Hisashi Sugaya to the Planning Commission, term ending July 1, 2010.
(Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - (May 31, 2006.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

On June 20, 2006 the Planning Department rescinded the Categorical Exemptions issued by the Municipal Transportation Authority, as authorized by the Planning Department, for legislation contained Files 050598, 060599, 060600 and 060601.
By operation of law, the Appeal of Categorical Exemptions from Environmental is therefore moot and the Board of Supervisors can not take action on the merits of File Nos. 060887, 060888, 060889, and 060890.

The President will entertain a motion to table the following Files Nos. 060887, 060888, 060889, and 060890.

52. 060887 **[Public Hearing – Appeal of Categorical Exemptions from Environmental Review for proposed legislation relating to the reconfiguration of Parking and creation of Bike Lane at Illinois Street (Board File Numbers 060598, 060599, 060600, and 060601)]**

Hearing of persons interested in or objecting to the issuance by the Department of Parking and Traffic of determinations of exemption from environmental review for proposed ordinances found in Board of Supervisors File Nos. 060598 & 060599 and proposed resolutions found in File Nos. 060600 & 060601, relating to the reconfiguration of Parking and creation of Bike Lane at Illinois Street. (Appellant: Stephen M. Williams, Esq.)

(Date Filed: 6/9/06; companion measure to Files 060887, 060888, 060889, 060890, District 10.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

53. 060888 **[Affirming the categorical exemption issued for the Illinois Street bike lane project]**
Motion affirming the determination by the Department of Parking and Traffic that the Illinois Street bike lane project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

54. 060889 **[Disapproving the categorical exemption issued for the Illinois Street bike lane project]]**
Motion disapproving the determination by the Department of Parking and Traffic that the Illinois Street bike lane project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

55. 060890 **[Preparation of findings related to legislation regarding parking and traffic regulations]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Department of Parking and Traffic that legislation relating to parking and traffic regulations, File Nos. 060598, 060599, 060600 and 060601, is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

56. 060598 **[Amending the Traffic Code to authorize establishing back-in only angled parking spaces]**
Supervisor Maxwell
Ordinance amending the San Francisco Traffic Code by amending Section 55 to authorize the Municipal Transportation Agency, with the approval of the Board of Supervisors, to establish back-in only angled parking spaces.

6/13/2006, CONTINUED. Continued to June 27, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

57. 060599 **[Allowing commercial vehicles that are actively loading or unloading during rush hour to block bike lanes on Illinois Street between 16th Street and Cargo Way]**
Supervisor Maxwell
Ordinance amending the Traffic Code by amending Section 38.N to exempt from the prohibition on blocking bike lanes from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m., commercial vehicles that are actively loading or unloading on Illinois Street between 16th Street and Cargo Way.

6/13/2006, CONTINUED. Continued to June 27, 2006
Question: Shall this Ordinance be PASSED ON FIRST READING?

58. 060600 **[Traffic Regulations]**
Supervisor Maxwell
Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH (18 month trial)
Illinois Street, both directions, between 16th Street and Cargo Way;
Sixteenth Street, both directions, between 3rd Street and Illinois Street; and,
Cargo Way, both directions, between Illinois Street and Jennings Street
(4/25/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

6/13/2006, CONTINUED. Continued to June 27, 2006
Question: Shall this Resolution be ADOPTED?

59. 060601 **[Parking Regulations]**
Supervisor Maxwell
Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING – RESCIND (18 month trial)
Illinois Street, east side, between 19th and 22nd Streets

BACK-IN ANGLED PARKING, 60 DEGRESS – ESTABLISH (18 month trial)
Illinois Street, east side, between 18th Street and 132 feet south of Mariposa Street

BACK-IN ANGLED PARKING, 45 DEGRESS – ESTABLISH (18 month trial)
Illinois Street, east side, between 20th and 22nd Streets

TOW-AWAY, NO PARKING ANYTIME – RESCIND
Illinois Street, east side, between 25th and Marin Streets

PERPENDICULAR PARKING – ESTABLISH
22nd Street, both sides, between Illinois Street and 480 feet easterly;
Tennessee Street, east side, between 18th and 175 feet south of 22nd Street; and
24th Street, both sides, between 100 feet east and 450 feet east of Michigan Street.
(4/25/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

6/13/2006, CONTINUED. Continued to June 27, 2006
Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Monday, June 26, 2006 at 8:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 27, 2006.

60. **051919** **[Worker Health Care Security Ordinance]**
Supervisors Ammiano, Daly, Mirkarimi, Dufty, Ma, McGoldrick, Maxwell, Peskin
Ordinance amending the San Francisco Administrative Code by adding Sections 14.1 through 14.10 to require that certain employers operating within San Francisco make health expenditures on behalf of employees, identifying options for how an employer may make such expenditures, setting penalties and providing for enforcement, and setting an operative date.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

61. **060893** **[San Francisco Health Access Program]**
Mayor, Supervisors Ammiano, Dufty
Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.10, to create a pilot public program to provide a set of comprehensive health benefits for uninsured San Franciscans.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, June 26, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 27, 2006.

62. **060858** **[Resolution of Intention to form the Fillmore Jazz District Community Benefit District]**
Supervisor Mirkarimi
Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Fillmore Jazz District Community Benefit District" and order the levy and collection of a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.
(Ecomomic Impact)

Question: Shall this Resolution be ADOPTED?

63. 060860 **[Resolution of Intention to form the Central Market Community Benefit District]**

Mayor

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

(Economic Impact)

Question: Shall this Resolution be ADOPTED?

64. 060898 **[Approving Agreements with the California Department of Transportation, the San Francisco Public Utilities Commission, and the US Navy in connection with an Upgraded Submarine Cable for Treasure Island]**

Mayor

Resolution approving (i) a Cooperative Utility Agreement between the California Department of Transportation and the Treasure Island Development Authority, (ii) a collateral Pledge and Security Agreement between the San Francisco Public Utilities Commission and the Treasure Island Development Authority, (iii) a Memorandum of Agreement between the San Francisco Public Utilities Commission and the Treasure Island Development Authority, and (iv) a Memorandum of Agreement between the Treasure Island Development Authority and the United States Navy, all in connection with an upgraded submarine power cable between the Oakland shoreline and Treasure Island.

Question: Shall this Resolution be ADOPTED?

65. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

66. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 67 through 77

67. 060864 **[Nominate 200 Year-Old California Valley Oak Tree for Landmark designation 2830 - 25th Street]**

Resolution nominating California Valley Oak Tree Located at 2830 25th Street initiating the landmark tree designation pursuant to Public Works Code Section 801(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts to protect this tree.

6/13/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/20/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Continued to June 27, 2006

6/20/2006, CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

68. 060905 **[Issuance and Sale of Revenue Bonds - All Hallows Apartments]**

Supervisor Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $23,000,000 for the financing of the acquisition and rehabilitation of All Hallows Apartments.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

69. 060906 **[Issuance and Sale of Revenue Bonds - Bayview Apartments]**

Supervisor Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $21,000,000 for the financing of the acquisition and rehabilitation of the Bayview Apartments.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

70. 060907 **[Issuance and Sale of Revenue Bonds - La Salle Apartments]**
Supervisor Maxwell
Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $20,000,000 for the financing of the acquisition and rehabilitation of the La Salle Apartments.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

71. 060908 **[Issuance and Sale of Revenue Bonds - Shoreview Apartments]**
Supervisor Maxwell
Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $21,000,000 for the financing of the acquisition and rehabilitation of the Shoreview Apartments.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

72. 060909 **[Renaming Fillmore and Turk Mini Park as the Mary Rogers Mini Park]**
Supervisors Mirkarimi, Maxwell
Resolution urging the Department of Recreation and Parks to rename the Fillmore and Turk Mini Park as the Mary Rogers Mini Park.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

73. 060910 **[Renaming Hayes Green as Patricia Walkup]**
Supervisor Mirkarimi
Resolution urging the Department of Recreation and Parks to rename Hayes Green after Patricia Walkup.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

74. 060912 **[Landmark Designation Nomination for Trees Located at 1141-1145 Filbert Street]**
Supervisor Peskin
Resolution of intent initiating the nomination of the Monterey Cypress tree located at 1141-1145 Filbert Street for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

75. **060913** **[Urging the California Congressional Delegation to oppose the ongoing effort by Rep. John Culberson (R-Texas) to prevent cities from accepting the Matricula Consular and other identification cards issued by other countries, as valid forms of identification]**

Supervisors Sandoval, Daly, Mirkarimi, McGoldrick, Peskin, Ammiano

Resolution urging the California Congressional Delegation representing the City and County of San Francisco to oppose the ongoing effort by Rep. John Culberson (R—Texas) to prevent cities from accepting the Matricula Consular and other identification cards issued by other countries, as valid forms of identification.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. **060914** **[Urging Albertson's Inc. not to close the Albertson's supermarket located in the Oceanview Village development]**

Supervisors Sandoval, Elsbernd, McGoldrick, Maxwell

Resolution urging Albertson's Inc. not to close the Albertson's supermarket located in the Oceanview Village development.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

77. **060911** **[Authorizing the attendance of one member of the San Francisco Youth Commission at the June 30 - July 2, 2006, Glocal Youth Parliament to be held in Ankara, Turkey]**

Supervisor Peskin

Motion authorizing the attendance of one member of the San Francisco Youth Commission at the June 30 – July 2, 2006, Glocal Youth Parliament in Ankara, Turkey.

6/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

78. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from June 13, 2006 through June 19, 2006, for reference by President to appropriate committee on June 27, 2006.

060842 **[Settlement of Lawsuit - Alfonso Helena]**
Ordinance authorizing settlement of the lawsuit filed by Alfonso Helena against the City and County of San Francisco for $114,500; the lawsuit was filed on January 20, 2004 in United States District Court, Northern District of California, Case No. C04-0260; entitled Alfonso Helena, et al., v. City and County of San Francisco, et al.

6/19/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from June 13, 2006 through June 19, 2006, for reference by President to appropriate committee on June 27, 2006.

060843 **[Accept-Expend Regional Grant - Airport Commission]**
Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling $414,340 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

6/20/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060928 **[Petitions and Communications]**

Petitions and Communications received from June 13, 2006 through June 19, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 27, 2006.

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Radiation Detection Company. (1)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Safeway, Inc. (2)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for ADT Security Service. (3)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Votech Pharmaceutical LTD. (4)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Bayer Corp-Animal Health. (5)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Merial Limited. (6)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Pfizer/Pharmaceuticals. (7)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Schering-Plough Animal Health. (8)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for TW Medical Vet Supply. (9)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapters 12B and 12C for Holiday Inn Golden Gateway. (10)

From the Ethics Commission, submitting support for proposed Charter amendment that would amend the San Francisco Charter to provide for the election of City elective offices in even-numbered years only. File 060707, Copy: Rules Committee members (11)

From Fine Arts Museums, confirming that no sole source contracts were entered into during fiscal year 2005-06. (12)

From Civil Service Commission, confirming that no sole source contracts were entered into during fiscal year 2005-06. (13)

From Office of the City Attorney, submitting notice that appeal filed for exemption of environmental review for legislation relating to parking and traffic regulations was filed in a timely manner, and therefore should be calendared before the Board of Supervisors. Files 060598, 060600, 060601, Copy: Each Supervisor (14)

From Planning Department, urging the Board to adopt proposed legislation that adjust the Department's fee structure to (a) set fees to recover cost, (b) provide for appropriate subsidies, (c) support approximately $2.7 million of the Long Range Planning Program annually. Files 060099, 060697, Land Use and Economic Development Committee and Budget and Finance Committee members (15)

Number not used. (16)

From Department of Human Services, regarding outreach, services, plans and coordinated efforts between departments, to address the increase homeless population in and around Golden Gate Park and the Inner Sunset. (Reference No. 20060411) Copy: Supervisor Mirkarimi (17)

From Law Offices of Stephen Williams, submitting request to remove Files 060600, 060601, legislation relating to parking and traffic regulations from the June 13, 2006 Board Agenda due to pending appeal. Copy: Each Supervisor (18)

From Senior Corps RSVP, commenting that the Mayor's Office of Neighborhood Services has been a huge asset in connecting community members to SF public schools as volunteers. Copy: Budget and Finance Committee members and clerk (19)

From Rent Board, regarding language access to all documents at the Rent Board. (Reference No. 20060523-015) Copy: Supervisor Ma (20)

From Mayor's Office of Public Policy, regarding the 2005-06 and 206-07 budgets that are directly or indirectly related to the Mayor's Greening Initiative. (Reference No. 20060425-029) Copy: Supervisor Sandoval (21)

From The United Council of Human Services, Bayview Hunters Point Multi-Service Drop-In Center, thanking the Board for their assistance in stopping the unnecessary cuts to programs and people they serve. Copy: Each Supervisor (22)

From Mayor's Office of Economic and Workforce Development, submitting the annual expenditures and the amount consumed of electricity, natural gas, and transportation fuels including gasoline, diesel, and bio-diesel. (Reference No. 20060509-005) Copy: Supervisor Mirkarimi (23)

From Don Casper, thanking the Board for adjourning the Board meeting in memory of Andrew Casper. (24)

From Law Offices of Richard Carrington, submitting copy of letter sent to Stephen Williams regarding dropping their appeal relating to parking and traffic regulations. File 060629, Copy: Each Supervisor (25)

From SF Labor Council, submitting support for the Board to designate the SF Chronicle as the official newspaper for the City and County of San Francisco. File 060619 (26)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending May 31, 2006. (27)

From Sally Osaki, submitting support for the establishment of the Japantown Special Use District. File 060266, Copy: Land Use and Economic Development Committee (28)

From Office of the Controller, submitting summary and projection of the Indigent Defense Fund costs for fiscal year 2003-04 through fiscal year 2005-06. File 060172 (29)

From Office of the Controller, submitting the Controller's discussion of the Mayor's fiscal year 2006-07 proposed budget. File 060172, Copy: Each Supervisor, Harvey Rose, and Legislative Analyst (30)

From Office of the Controller, submitting the Controller's opinion on proposed Charter amendment providing for district elections, term limits and instant runoff voting for members of the Board of Education. File 060261 (31)

From Office of the Controller, submitting the Controller's opinion on proposed Charter amendment authorizing members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing or other electronic means when physically unable to attend due to illness, pregnancy or childbirth. File 060380 (32)

From Office of the Controller, submitting the Controller's opinion on proposed Charter amendment requiring the Mayor to appear personally at one regularly scheduled meeting of the Board of Supervisors each month to respond to questions posted to him or her by members of the Board of Supervisors. File 060673 (33)

From Office of the Controller, submitting the Controller's opinion on proposed Charter amendment setting minimum qualifications for City officer or employee designated to manage the City's emergency planning and response. (34)

From Office of the Controller, submitting report on staffing and planning issues at the San Francisco Elections Department. (35)

From Department of Recreation and Park, regarding the feasibility of installing signs that read "Pet Owners are Responsible for Removal of Dog Feces" in the Hayes Green. (Reference No. 20060228-003) Copy: Supervisor Mirkarimi (36)

From Kimo Crossman, submitting opposition to proposed Charter amendment authorizing members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing or other electronic means when physically unable to attend due to illness, pregnancy or childbirth. File 060380, Copy: Each Supervisor (37)

From Department of Parking and Traffic, regarding graffiti removal from various locations in District 5. (Reference Numbers 20060418-007, 20060411-010, 20060523-003, 20060502-006) Copy: Supervisor Mirkarimi (38)

From Department of Public Works, regarding sidewalk repair at the southeast corner of O'Farrell and Scott. (Reference No. 20060606-004) Copy: Supervisor Mirkarimi (39)

From concerned citizens, submitting opposition to Proposition H (banning of handguns) in San Francisco. 8 letters (40)

From SF Architectural Heritage, submitting support for the nomination of the Richard Doolan/Norman Larson Residence and Storefront at 557 Ashbury Street/1500-1512 Haight Street. File 060668 (41)

From Municipal Transportation Agency, concerning the feasibility of establishing traffic controls at the intersection of Parnassus Avenue and Willard Street. (Reference No. 20060502-012) Copy: Supervisor Mirkarimi (42)

From concerned citizens, regarding neighborhood issues in the South of Market area. 10 letters (43)

From concerned citizens, submitting support for traffic signals at Lake Merced Boulevard and Lake Merced Hill. Copy: Each Supervisor, 2 letters (44)

From UCSF Children's Hospital, regarding proposed cuts to the Public Health Nurse budget for the upcoming fiscal year. File 060680, Copy: Government Audit and Oversight Committee members' (45)

From David Tornheim, submitting support for proposed legislation banning large signs from poles, while continuing to allow 8.5 x 11 postings. File 060853 (46)

From Denise D'Anne, regarding the use of alternative packaging materials. Copy: Each Supervisor (47)

From Elin Modjeska, regarding proposed budget cuts to the Asian Art Museum. (48)

From Fine Arts Museums of San Francisco, submitting the Fall/Winter 2005-06 and the Spring/Summer 2006 report for the Fine Arts Museums of San Francisco. (49)

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